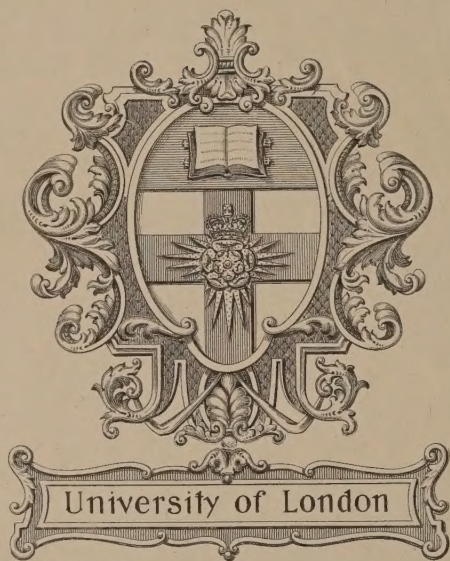
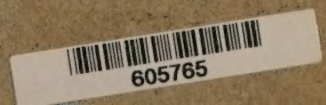
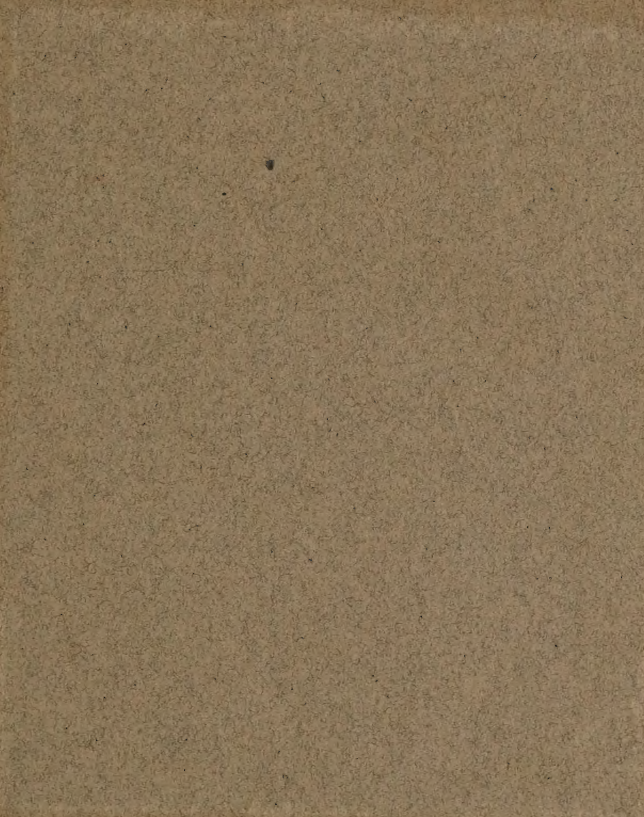






ACCOUNTS AND PAPERS:

FORTY-EIGHT VOLUMES.

— (15.) —

EAST INDIA.

PUBLIC WORKS; RAILWAYS; RELIGIOUS ENDOWMENTS;
SEDASHEGAR HARBOUR;
TEA PLANTATIONS; WASTE LANDS.

Session

5 February — 28 July 1863.

VOL. XLIII.

1863.

ACCOUNTS AND PAPERS

OF THE

NAVY

OF THE

UNITED STATES

FROM 1793 TO 1800

IN TWO VOLUMES

Vol. II

1800

VOL. II

1800

ACCOUNTS AND PAPERS:

1863.

FORTY-EIGHT VOLUMES:—CONTENTS OF THE

FIFTEENTH VOLUME.

N.B.—*THE* Figures at the beginning of the line, correspond with the N^o at the foot of each Paper; and the Figures at the end of the line, refer to the MS. Paging of the Volumes arranged for *The House of Commons*.

EAST INDIA:

Public Works Department :

- ✓ 76. Names of the Examiners appointed to examine the Candidates who presented themselves, since the last Return, for Admission to the Engineer's Establishment and Public Works Department in *India* :—Names of the Successful Candidates in Order of Merit, their respective Ages, and Names of the Civil Engineers to whom any have been Articled Pupils :—Marks assigned on each Subject to every Candidate ; and of Examination Papers on each Subject (in continuation of Parl. Paper, No. 499, of Session 1861) - p. 1
- ✓ 473. Returns specifying the Names of the Examiners appointed to examine the Candidates who presented themselves since last Return, for Admission to the Engineer's Establishment and Public Works Department of *India*, &c. (in continuation of Parl. Paper, No. 76, of Session 1863) - - - - - 17

Railways :

- ✓ [3168.] Report of the Secretary of State for *India* in Council on Railways in *India*, for the Year 1862-63, by *Juland Danvers*, Esq., Government Director of the *Indian* Railway Companies - - - 41
- ✓ 210. Salaries paid and Moneys expended, in *India* and in *England*, in carrying out the Guarantee System with respect to Railways and other Public Undertakings in *India* - - - - - 73

Consulting Railway Engineers :

- ✓ 211. Names of Officers, in succession, who have filled the Office of Consulting Engineer in the Railway Department to the Government of *Bengal* ; Rank in the Service, and Length of Service when entering upon such Appointment :—And, similar Return with respect to Officers similarly employed under the Governments of the North-Western Provinces of *India*, the *Punjab*, *Madras*, and *Bombay* - - - - - 79

Railways—continued.

Isthmus of Kraw Railway :

- ✓ 108. Correspondence between Individuals in this Country and Her Majesty's Government relative to proposed Railway across the Isthmus of *Kraw* :—And, Despatch from the Governor General of *India*, with its Enclosures, on the same subject - - - p. 83

Religious Endowments :

- ✓ 394. Copy of an Act passed by the Council of the Governor General of *India*, to enable the Government to divest itself of the Management of Religious Endowments - - - - - 103

Sedashegar Harbour :

- ✓ 81. Correspondence not hitherto laid upon the Table relative to the Pier and Harbour of *Sedashegar*, and Roads leading thereto - 109
- ✓ 307. Correspondence not hitherto published, relative to the Harbour of *Sedashegar*, and Roads leading thereto - - - - 249

Tea Plantations :

- ✓ 95. Reports made to the Government on the Extension of Tea Plantations in *India* - - - - - 263

Tringanu :

- ✓ 541. Papers connected with the Attack upon *Tringanu*, in November 1862 - - - - - 299

Waste Lands :

- ✓ 164. Further Papers relating to the Sale of Waste Lands or Redemption of the Land Revenues in *India*, and any further Correspondence with the *Indian* Government relating thereto (in continuation of Parliamentary Paper, No. 327, of Session 1862) - - - 389

EAST INDIA (PUBLIC WORKS DEPARTMENT).

RETURN to an Address of the Honourable The House of Commons,
dated 23 February 1863;—for,

- “ RETURNS specifying the Names of the EXAMINERS appointed to examine the CANDIDATES who presented themselves, since the last Return, for Admission to the ENGINEER’S ESTABLISHMENT and PUBLIC WORKS DEPARTMENT in *India* :”
- “ Of the Names of the SUCCESSFUL CANDIDATES in Order of Merit, their respective Ages, and the Names of the CIVIL ENGINEERS to whom any of such Candidates have been Articled Pupils :”
- “ And, of the MARKS assigned on each Subject to every Candidate; and of the EXAMINATION PAPERS on each Subject (in continuation of Parliamentary Paper, No. 499, of Session 1861).”

India Office, }
24 February 1863. }

W. T. THORNTON,
Secretary, Public Works Department.

(*Mr. Longfield.*)

Ordered by The House of Commons, to be Printed,
27 February 1863.

CIVIL ENGINEER EXAMINATIONS.

NAMES OF EXAMINERS.

Rev. Jonathan Cape, A.M., F.R.S.

Captain W. H. Edgcome, R.E.

George Preston White, Esq., C.E.

Successful Candidates in order of Merit.

NAME.		AGE.	Civil Engineer to whom Articled, or under whom Served.
1.	Mr. A. J. Hughes - -	18	J. Hughes, Westminster.
2.	" W. Burnett - - -	20	J. Milne & Co., Edinburgh.
3.	" R. H. Rhind - - -	20	Messrs. Martin & Smethurst, Manchester.
4.	" F. L. O'Callaghan - -	22	{ H. Conybeare, Westminster. Cork and Limerick Railway.
5.	" E. Mansfield - - -	22	J. Steel & Sons, Cork.
6.	" H. Rigg - - -	19	James Taylor & Co., Birkenhead.
7.	" C. B. Roche - - -	22	{ E. Bagot, C.E., Llanelly, S.W., C. Geoghegan, Dublin, C. B. Lane, Westminster.
8.	" H. Bell - - -	22	London, Chatham and Dover Railway.
9.	" J. M. W. Pullen - - -	21	Great Western Railway Works, Swindon.
10.	" G. W. Jones - - -	22	J. Empson, C.E., Kilkenny.

NUMBER of MARKS assigned to each Candidate, whether successful or otherwise.

Order of Merit.	Mathematics.	Surveying and Levelling.	Civil Engineering.	TOTAL.	Order of Merit.	Mathematics.	Surveying and Levelling.	Civil Engineering.	TOTAL.
1	335	129	335	799	21	193	116	250	559
2	353	137	235	755	22	165	102	290	557
3	276	134	335	745	23	151	56	335	542
4	273	171	300	744	24	162	57	320	539
5	284	124	290	698	25	177	73	280	530
6	267	123	300	690	26	143	76	300	519
7	230	136	290	656	27	135	99	280	514
8	219	102	335	656	28	139	104	267	508
9	287	67	300	645	29	178	63	255	496
10	239	113	290	642	30	102	108	270	480
11	226	124	290	640	31	145	84	240	469
12	214	104	295	613	32	99	61	300	460
13	237	103	270	610	33	83	77	260	420
14	203	109	290	602	34	30	59	320	409
15	202	102	296	600	35	62	32	235	329
16	206	102	292	600	36	173	93	35	301
17	183	114	305	602	37	108	53	95	256
18	203	102	285	590	38	37	25	75	137
19	191	98	300	589	39	52	26	45	123
20	152	113	305	570	40	43	0	65	108

EXAMINATION PAPERS.

June 1862.

ARITHMETIC AND ALGEBRA.

1. FIND the value of $\frac{7}{18}$ of a guinea; and reduce $\frac{2}{5}$ of 2s. 4½ d. to the fraction of a half-crown.

2. Divide $2\frac{7}{8}$ by $\frac{3}{5}$ of $4\frac{1}{3}$, and reduce the result to a decimal; compare also the values of $\frac{15}{4}$, $3\frac{1}{3}$, and $\frac{2}{7}$ of $9\frac{2}{5}$.

3. A bankrupt owes 3 creditors £.400, £.300, and £.420; but his assets are only £.224. What will each creditor receive, and how many shillings in the pound will he pay?

4. If 4 men can remove 50 cubic yards of earth in 18 days, how long will 8 men be in removing 800 cubic feet?

5. Which stock offers the best interest—the Indian 5 per cents. at 109—or the Russian 4½ per cents. at 91½? And if I invest £.5,000 sterling in each of these two stocks, what will be the difference of income from the two funds?

6. Simplify the following expressions:

$$(1) \quad \dots \quad \frac{a+b}{a-b} - \frac{a^2-b^2}{a^2+b^2} + \frac{a^2+b^2}{a^2-b^2},$$

$$(2) \quad \dots \quad \frac{m-n}{mn} + \frac{p-m}{mp} + \frac{n-p}{np},$$

$$(3) \quad \dots \quad \left(a + \frac{ax}{a-x}\right) + \left(a - \frac{ax}{a+x}\right) + \frac{a^2-x^2}{a^2+x^2}.$$

7. Divide $a^8 + a^6b^2 + a^4b^4 + a^2b^6 + b^8$ by $a^4 + a^3b + a^2b^2 + ab^3 + b^4$; and multiply $a^{\frac{1}{2}} + b^{\frac{1}{2}} + c^{\frac{1}{2}} - a^{\frac{1}{2}}b^{\frac{1}{2}} - a^{\frac{1}{2}}c^{\frac{1}{2}} - b^{\frac{1}{2}}c^{\frac{1}{2}}$ by $a^{\frac{1}{2}} + b^{\frac{1}{2}} + c^{\frac{1}{2}}$.

8. Find the greatest common measure and least multiple of $x^3 + x^2 + x + 1$ and $x^3 - x^2 + x - 1$.

9. Divide $8 - 5\sqrt{2}$ by $3 - 2\sqrt{2}$; and extract the square root of $14 + 8\sqrt{3}$.

10. Solve the following equations:

$$(1) \quad \dots \quad \frac{x}{4} - \frac{x-4}{6} = \frac{4}{3} + \frac{1}{12} (24-x),$$

$$(2) \quad \dots \quad x + \frac{24}{x-1} = 3x - 4,$$

$$(3) \quad \dots \quad x^2 - 2x + 4\sqrt{x^2 - 2x + 6} = 15,$$

$$(4) \quad \dots \quad 2x^2 - 3xy = 18; \text{ and } y^2 + xy = 27.$$

11. Find a 4th proportional to 100, 120.5 and 41.76; also, show that if $a : b :: c : d$; then, $pa + qb : ra - sb :: pc + qd : rc - sd$.

12. Determine the value of the sum of an Arithmetical Progression of n terms; and sum the following series, $1 + 9 + 17 + \&c.$, to 50 terms

13. Sum the geometric series, $3 - 1 + \frac{1}{3} - \dots$ to 9 terms; and insert 4 arithmetic means between -2 and -18 ; and also 3 geometric means between $\frac{1}{2}$ and 128.

14. Expand $(2a-3b)^7$; and find the 5th term in the expansion of $(x-y)^{13}$.

15. A merchant made a mixture of wine at 28s. a gallon, with brandy at 42s. a gallon; and he found that by selling the mixture at 35s. a gallon, his gain amounted to 15 per cent. on the price of the wine, or 20 per cent. on the price of the brandy: in what ratio were the wine and brandy mixed together?

16. Find the time which 3 persons would take jointly to do a piece of work, which they can do separately in a , b , c days respectively.

3 June 1862.

EUCLID.

1. DEFINE *obtuse angled triangle*, *acute angled triangle*, *rhombus*, *segment of a circle*, and *sector of a circle*.

2. If from the ends of the side of a triangle, there be drawn two straight lines to a point within the triangle, these shall be less than the other two sides of the triangle, but shall contain a greater angle.

If a trapezium and a triangle stand upon the same base, and the trapezium falls within the triangle, the perimeter of the trapezium shall be less than that of the triangle.

3. All the interior angles of any rectilineal figure, together with four right angles, are equal to twice as many right angles as the figure has sides.

How many right angles are the interior angles of a *pentagon* and a *decagon* equal to?

4. If the square described upon one of the sides of a triangle, be equal to the squares described upon the other two sides of it; the angle contained by these two sides is a right angle.

To construct a square which shall be equal to the difference of two squares.

5. The two diagonals of a parallelogram mutually bisect each other.

Also, the sum of the squares of the two diagonals is equal to the sum of the squares of the four sides.

6. If a straight line be divided into two equal parts, and also into two unequal parts; the rectangle contained by the unequal parts, together with the square of the line between the points of section, is equal to the square of half the line.

Hence prove that the difference of the squares of two unequal lines, is equal to the rectangle contained by their sum and difference.

7. The diameter is the greatest straight line in a circle; and, of all others, that which is nearer to the centre is always greater than one more remote.

8. The opposite angles of any quadrilateral figure inscribed in a circle are together equal to two right angles.

A circle cannot be described about a rhombus.

9. If from a point without a circle there be drawn two straight lines, one of which cuts the circle, and the other meets it; if the rectangle contained by the whole line which cuts the circle, and the part of it without the circle, be equal to the square of the line which meets it, the line which meets shall touch the circle.

Hence, describe a circle which shall touch a given straight line, and pass through two given points on the same side of the given line.

10. If

10. If the angle of a triangle be divided into two equal angles, by a straight line which also cuts the base, the segments of the base shall have the same ratio which the other sides of the triangle have to one another.

11. If a solid angle be contained by three plane angles, these three angles are together less than four right angles.

12. To make a triangle equal to a given pentagon; and to make a square equal to this triangle.

5 June 1862.

MECHANICS AND HYDROSTATICS.

1. EXPLAIN the principle of the *parallelogram of forces*; and prove that if three forces acting on a point, keep it at rest, each of these forces is proportional to the sine of the angle made by the other two.

2. Four forces represented by 15, 20, 25, 30, act on a point A . The two first are inclined to the left of the line AB , at the angles 60° and 135° ; and the two others to the right of this line at the angles 30° and 90° ; it is required to find, both by construction and calculation, a force which shall keep these four forces at rest.

3. Find the centre of gravity of a triangle ABC ; and prove that three forces which are proportional to the lines GA , GB , GC , will keep the point G at rest, G being the centre of gravity of the triangle.

4. Find the distance of the centre of gravity of any system of bodies considered as points from a given plane.

5. If any number of forces P , Q , &c.; p , q , &c., acting upon the arms of a lever without weight, to turn it in opposite ways, be such that

$$P.CM + Q.CN + \&c. = p.Cm + q.Cn + \&c.,$$

C being the fulcrum, and CM , CN , &c. the perpendiculars upon the directions of these forces respectively, there will be an equilibrium.

6. In a vertical screw when there is an equilibrium, prove that the power is to the weight as the distance between two contiguous threads measured in a vertical direction to the circumference of the circle which the power describes. Also, show that the principle of *virtual velocities* is true in the case of the screw.

7. In a simple isosceles truss roof ABC , calculate the tension of the tiebeam AC . Determine also the strains on the braces drawn from the middle of AC , to the middle of BA and BC .

8. In the construction of arches, prove that the horizontal pressure is the same at every point of the arch; and that the perpendicular pressure upon each of the voussoirs is proportional to the secant of the angle which the joint makes with the vertical.

9. Explain Atwood's machine, and show how it has been applied to prove the laws of motion.

10. If an imperfectly elastic body impinges obliquely upon an immovable plane, to determine its motion after impact.

11. How long would a body be in falling down the lower half of an inclined plane, whose length is 150 feet and height 60 feet?

12. A pendulum is found to make 640 vibrations at the equator in the same time as it makes 641 at Greenwich; if a string, hanging vertically, can just sustain 160 lbs. at Greenwich without breaking, how many pounds can the same string sustain at the equator?

13. From what height must a centrifugal carriage descend down an inclined plane, so that with the velocity acquired it may enter the interior of the circumference of a circle placed in a vertical position at its base, and just pass the top of the circumference without falling; the diameter of the circle being 12 feet?

14. Explain the fundamental property of fluids. By what experiments is this property established? Is water compressible or not?

15. If two fluids communicate in a bent tube, they will be in equilibrium, when their perpendicular altitudes above the horizontal plane where they meet are inversely as their densities.

Explain the *hydrostatical paradox* or *hydrostatic bellows*.

16. Describe Nicholson's hydrometer; and show in what respect it is superior to that of Sykes'.

What is the specific gravity of alcohol, supposing that the weight of Nicholson's hydrometer is 250 grains; and 72 grains are required to sink it to the proper depth in water, and 9 grains in alcohol?

17. Explain how the elastic force of air varies. 1st, when the density varies and the temperature remains the same; and 2dly, when the temperature varies and the density remains the same.

18. Required the pressure of sea water on the cork in an empty bottle, supposing that its diameter is $\frac{4}{5}$ ths of an inch, and that it is sunk to the depth of 600 feet.

N.B.—The specific gravity of sea water is 1.026.

19. Describe the construction and mode of working of the air-pump. Find the density of the air in the receiver after four strokes of the piston, the volume of the receiver being ten times that of the barrel.

20. Describe the mode of filling and graduating the thermometer. Explain also the different scales of *Fahrenheit*, *Centigrade*, and *Reaumur*. What degrees on the Centigrade and Reaumur's scales correspond to 100° of Fahrenheit?

INDIAN ENGINEER ESTABLISHMENT.

Competitive Examination, June 1862.

LAND SURVEYING.

1. In measuring between two stations A and B, a very wide river intervenes, crossing the line at right angles. There is no instrument available but a 100 feet chain, which evidently cannot span the stream; show how the exact breadth of the river may be determined and the measurement continued.

2. I have a French plan in which the scale has been omitted; one of the lines on the plan however is numbered 804.584 metres, and measures exactly 2.5 English inches.

Construct an equivalent English scale to read to 10 yards.

N.B.—A yard = 0.9143 metres.

3. From the following extract taken from a fieldbook, plot the survey, on a scale of 5 chains to 1 inch.

N.B.—Fill in (with ink) the spaces left blank, and draw the scale to read to 1 link.

Wood

40		20	Distance to 0 1
			Distance to Church Spire
			Distance to 
			Bearing to Church Spire.
			Bearing to 
			Bearing to 0 1
10	0 12	30	
	1628		
	298° 30'		To Church Spire
	223° 30'		to 0 12
	0 11		
	850		
	277° 30'		To Church Spire
	251°		to 0 11
	0 10		
	439		
	221° 10'		to 0 10
10	0 9	40	

the last Example to represent the boundary
 show how you would survey it with chain
 in the Plan (with dotted ink lines) the lines
 measure- number them in the order of
 and calculate the area of the Estate in

order, the various operations to be performed
 and laying out a Line of Railway state what
 it would employ and give such details as are
 the guidance of the workmen.

TRIGONOMETRICAL SURVEYING.

1. DESCRIBE the method of laying out a base line, and the instruments generally employed.

2. In order to compare bases measured at different elevations, it is necessary to refer and reduce them to a common standard, viz., the mean sea level. Determine the formula for the reduction, and apply it in the following example—where the base measured was 30,809·07 feet, at an elevation of 1,957 feet above the level of the sea—assuming the mean radius of the earth = 20,888,153 feet.

3. Explain the method of “traversing” with the theodolite and chain. Suppose the instrument properly adjusted at the first station for the purpose of surveying a road, and carry on the work through at least three stations.

4. What advantage does the theodolite possess over the sextant in measuring the angle between two places of different elevation ?

5. The distance between two stations, A and B, (as obtained from a previous survey), was 6,230 yards, and in order to extend the survey, two other stations, C and D, were selected, whose distance apart could not be determined by actual measurement. The following angles were therefore taken with the theodolite, viz.

$\angle A C B = 85^{\circ} 46'$
 $\angle B C D = 23^{\circ} 56'$

$\angle A D C = 31^{\circ} 48'$
 $\angle A D B = 68^{\circ} 2'$

required the distance C D.

6. Wanting to fix the position of a sunken rock D in the middle of a river, I took the following angles from a boat (moored exactly over the rock) to three objects, A, B, C, which were accurately laid down on my chart (A and B being on the same bank of the river, and C opposite), viz.

$\angle A D C = 131^{\circ} 52'$
 $\angle A D B = 110^{\circ} 12'$

required the distances A D, B D, C D, when A B = 4,516, A C = 4,809, and B C = 3,018 yards.

LEVELLING.

1. WHAT is meant by two places being on the same level? What, also, by “apparent” and “true” level? and determine the formula for the difference of these terms.

2. Describe the “dumpy,” or Gravatt’s level, and state wherein it differs from the γ level.

3. Plot a section from the following extract from a levelling field-book :—

Horizontal scale = 600 feet to an inch.

Vertical scale = 20 feet to an inch.

N.B.—Fill in (with ink) the columns “Rise,” and “Fall,” and “Reduced Levels.”

Back-sight or Reading of Back-staff.	Fore-sight or Reading of Fore-staff.	Rise.	Fall.	Reduced Levels.	Distance in Feet.	Remarks.
13·71	7·88				519	Datum assumed 100 feet below first back- staff.
9·40	16·30				815	
3·87	11·71				600	
2·63	12·41				350	
14·62	0·95				480	
16·21	1·45				820	
10·66	15·40				360	
2·87	12·38				420	
3·40	9·64				530	

4. Given the same section as in the last example—show how the difference of level between the extreme points may be determined with the theodolite.

5. Name the adjustments of the Y level, and explain what is meant by the “Line of Collimation.”

6. State other methods of levelling besides those performed with theodolite and spirit level, and describe the instruments employed in any one of the methods.

PUBLIC WORKS DEPARTMENT—INDIA.

CIVIL ENGINEER ESTABLISHMENT.

EXAMINATION PAPERS for Appointments for June 1862.

George Preston White, C. E., Examiner.

Note.—You are requested to write legibly, and to answer the questions as concisely as possible. Prefix the number of the question to each answer. In those cases where free-hand sketches or diagrams are used to illustrate the subject, it is requested they may be carefully executed, in order to show the Candidate's efficiency in this style of drawing. Candidates must not, during the Examination, refer to any Book or MS., nor communicate with each other; their doing so will disqualify them. Candidates are required to produce *bonâ fide* finished drawings, with certificate, respecting which there will be a *vivâ voce* examination.

DESCRIBE the course of education you have undergone, name the engineer to whom you have been a pupil, the number of years articted, the nature of the works on which you have been engaged, and state in what branch of the profession you have had most practical experience.

Roads.

1. Draw transverse sections of a road, showing formation in sidelong ground, on level ground, through cutting, and along precipitous rocky ridges; show drains, culverts, fences, &c., and figure on dimensions, and state the quantity of metalling and other materials required per perch, and give specification and estimate, adopting your own data.

2. Describe in detail, with sketch, Mr. Telford's principles of road making, as adopted in his practice on the Caledonian and Holyhead roads; state in what does it differ from Mr. M'Adam's system; and the comparative advantages and cost.

3. Describe some of the plans which have been successfully employed for making foundations for roads over marshes and unstable ground.

4. If required to lay out a road, suitable for a tramway for cattle draft, or for light locomotives, state what gradients and curves you would consider desirable, the nature of the bridges and other works, and what course you would adopt so as to secure the utmost economy in construction.

5. What is the tractive power required per ton on a well-formed level road, and on a railway, also on gradients of 1 in 30, of 1 in 50, and of 1 in 100, at velocities of 5, 10, and 20 miles per hour? and state the comparative cost of haulage on canals, roads and railroads, with horse and locomotive power

Railways and Tramways.

6. Describe the different methods employed for setting out railway curves, and for laying out widths on sidelong ground.

7. Describe

7. Describe the different kinds of permanent way used on some of the principal railways in this country and abroad, and sketch the different forms of rails, chairs, and sleepers, mode of fixing the joints ; state the average cost per mile of the different systems, and their comparative advantages.

8. Give the average cost per mile of some of the most important railways in the United Kingdom, on the Continent, in America, and in India, and state the width of gauge employed.

9. Describe the different modes adopted for working traffic over steep inclines, and state what are the steepest gradients worked by locomotives.

10. Design a second-class railway station house of simple construction ; give ground plan, elevation, and sections, with sufficient detail to enable builders to execute the work therefrom, and give a specification and estimate of the cost, adopting your own prices and data.

11. In countries of vast extent like India, where it is desirable that railways should be as cheaply constructed as possible, consistent with safety and economy in working ; describe the kind of permanent way you would recommend, the nature of the bridges, the form and weight of rail per yard, the railway to be suitable either for light locomotives or cattle draft ; give an estimate and general specification, and name any railway which illustrates your views.

12. Give a brief description of the locomotive engine, describing some of the most important improvements since its first introduction ; and describe an economical light locomotive, suitable for moderate traffic on tramways or low-speed railways, and state the average cost.

Canals.

13. Draw transverse sections of a canal in cutting, on the surface, and on an embankment. Figure on the dimensions and slopes, and show puddle lining, towing path, &c., and describe how puddle is made, and how to prevent its cracking.

14. Describe the improvements and peculiarities of construction introduced by Mr. Telford in the Chirk and Pont-Cysylltau aqueducts on the line of the Ellesmere Canal, and by what means the employment of puddle was dispensed with.

15. If required to lay out a line of canal for navigation and irrigation : state the principal circumstances which would guide you as to the selection of the route.

16. Describe the various modes used for raising canal boats from one level to another.

17. Describe the Solani aqueduct on the Great Ganges canal, executed by Sir Proby Cautley, or any other important example.

18. Describe any canal, where great engineering skill has been displayed in its construction.

Irrigation and Drainage.

19. Describe in detail the methods employed in India and Lombardy for irrigating land.

20. Explain the general principles of the system adopted by Sir Cornelius Vermuyden for the drainage of the fens, and describe the improved system introduced by the late Mr. Rennie.

21. State briefly the principal features of the drainage of London now being carried out by Mr. Bazalgette.

Locks.

22. Make a design for a canal lock chamber, giving plan, elevation, section and specification, breadth 30 feet, length 100 feet, lift 10 feet, average depth of canal 10 feet. State what precautions you would take regarding the foundations, also describe the best form of sluice.

Submarine Foundations.

23. Describe in detail, and give sketches of, the different methods employed for forming foundations under water; state the comparative merits, applicability and advantage of each system, under the various circumstances met with in practice, and give examples.

24. State which are the best, and which are the most difficult soils to form foundations on, and explain what course you would adopt to ascertain the nature of the strata before executing a work under water.

25. Describe the mode adopted by Mr. Hodges, for forming the foundations for the piers of the great Victoria Bridge across the St. Laurence, at Montreal, Canada.

26. Make a sketch of the screw pile, and describe the various uses to which it is applied.

Bridges and Viaducts..

27. Give the dimensions, span, cost and peculiarities of construction of some important examples of bridges and viaducts of stone, brick, timber, iron and wire.

28. Describe the different forms of girder, viz. :—The trellis, the Warren, the tubular, the bow and string, and Brunel's girder; state the comparative advantages.

29. What are the circumstances which would guide you in employing cast iron, wrought iron, stone, brick, timber or wire, in the construction of bridges and viaducts?

30. Design a railway viaduct to cross a river 250 feet wide, greatest depth of water 20 feet, and height from surface of water to formation level 50 feet.

31. Make a design for a simple form of timber road bridge, 40 feet span between abutments.

32. In wrought iron trellis and boiler plate girder bridges, what proportion should the depth of the beam bear to the span?

33. Make a design for a centre, of simple construction, for a brick segmental arch of 50 feet span and 20 feet rise, and name any important example of bridge centering.

34. Give transverse sections of the best forms for girders of cast, wrought, and boiler plate iron; and state the general results arrived at from the experiments of Messrs. Stephenson, Fairbairn, Hodgkinson and Barlow.

Retaining Walls.

35. Design retaining walls of stone and brick, 20, 30 and 40 feet in height; figure on the dimensions and batter, the strata being clay.

Roofs.

36. Design a truss for a wrought iron roof of 70 feet span for a railway station; give working drawings with transverse sections of struts, tie-rods, &c., and figure on dimensions, and give sufficient detail to enable a contractor to execute the work.

Dams.

37. Design a dam for a river 100 feet wide, greatest depth of water 20 feet, head of water required five feet; give a plan of the superstructure, of the upper level, of the lower level, an elevation of a portion of the front of the dam wall and section of wing wall; state what precautions you would take to secure foundations, and prevent leakage; and give specification and estimate of the cost of the work, adopting your own data.

Strength of Materials.

38. Describe the different materials employed in building operations; state their comparative strength, and what tests you would apply to ascertain their strength, quality and fitness.

Machinery.

39. Describe the advantages of the slide rest principle, and mention some of its most important applications to machinery.

40. Describe and give a hand-sketch of a simple form of five-ton crane.

Limes, Mortars and Cements.

41. Name the different kinds of lime and cement used in building; describe their properties, and specify those which are hydraulic.

42. What constitutes the chemical difference between ordinary and hydraulic limes, and explain how artificial hydraulic limes can be made, according to the experiments of Vicat and others, where natural hydraulic limes cannot be obtained; and state what time does good hydraulic lime take to harden and set.

43. Describe how concrete is made, and mention the various uses to which it is applied.

River Navigation.

44. Describe the various means employed for improving the navigation of rivers, and describe the engineering works on the Clyde, or any other river with which you may be acquainted, showing how the navigation has been improved.

Water Supply.

45. Describe the different systems employed for supplying towns with water, and give the names of important works illustrating the subject.

46. Give the names and a short description of the different machines and engines employed for raising water; state what per centage of useful effect can be obtained respectively from overshot, breast, and undershot wheels, and from the turbine; and describe their comparative advantages, and the head of water required.

Embanking Land from the Sea.

47. Describe the means employed in Holland and other countries for embanking land from the sea and from rivers.

Miscellaneous.

48. Give the names of the eminent deceased engineers of Great Britain, and mention some of their most important and distinguished works.

49. Give the names of standard works of reference on engineering subjects, and specify those you have read.

50. Describe how bricks are made, and the various kinds employed in building, and make a diagram showing the different bonds used in brickwork, and state their comparative advantages; also explain the use of hoop iron.

51. Describe the various kinds of timber employed in building, their comparative advantages, cost, durability, quality and strength.

52. Explain the processes employed to preserve timber against decay, and against the ravages of marine and other insects; and specify the timbers most durable for works under water.

53. Make a sketch showing the best sectional forms for sewers and drains, and state the best materials for their construction.

54. Mention the uses and some of the most important applications of the hydraulic press in engineering works.

55. State the best kinds of stone for building purposes, and specify those most suitable for works under water, and how you would test their fitness.

56. Describe some of the most improved forms of boilers for stationary, marine, and locomotive engines, and state the amount of coke or coal required respectively to evaporate a given quantity of water.

57. There are certain subjects which can be better illustrated by maps than by description; give some examples of cases where physical maps have been employed with advantage.

58. Describe the Torpoint Steam Ferry Bridge, designed by the late Mr. Rendel, also that designed by the late Mr. Robert Stephenson, to conduct the traffic of the Alexandria and Cairo Railway across the Nile, or any simple form of steam ferry bridge or pontoon with which you are acquainted.

59. Describe the principal features and advantages of the Cornish engine.

60. Describe briefly the process of manufacturing wrought iron, cast iron, and steel; state the characteristics of good iron, and how you would test the quality.

61. Describe the strata in which coal, iron, copper, tin, and lead, are usually found; state what surface indications would induce you to think that mineral existed, and what strata are most congenial for the production of the above named minerals.

62. Describe the improvements, introduced by the late Mr. Telford, in the construction of the piers and spandrils of bridges, as adopted, for example, in the Menai Bridge.

63. Name some of the most important inventions of Watt, in connexion with the steam engine.

64. More is frequently learned by a failure than by the most complete success: illustrate this by any examples with which you are acquainted, as, for instance, state the cause of failure of the foundations of Hexham Bridge, built by Smeaton.

EAST INDIA (PUBLIC WORKS DEPARTMENT).

RETURN to an Address of the Honourable The House of Commons,
dated 16 July 1863;—for, ‘

“ RETURNS specifying the Names of the EXAMINERS appointed to examine the CANDIDATES who presented themselves since last Return, for Admission to the ENGINEER’S ESTABLISHMENT and PUBLIC WORKS DEPARTMENT of *India* :”

“ Of the Names of the SUCCESSFUL CANDIDATES in Order of Merit, their respective Ages, Places of Education, and the Names of the CIVIL ENGINEERS to whom any of such Candidates have been Articled Pupils :”

“ And, of the MARKS assigned on each Subject to every Candidate ; and of the EXAMINATION PAPERS on each Subject (in continuation of Parliamentary Paper, No. 76, of Session 1863).”

India Office, }
17 July 1863. }

W. T. THORNTON,
Secretary, Public Works Department.

(*Mr. Adam.*)

Ordered, by The House of Commons, to be Printed,
21 July 1863.

CIVIL ENGINEER EXAMINATIONS.

NAMES OF EXAMINERS.

Rev. Jonathan Cape, A. M., F. R. S.

Colonel H. Yule, R. E.

George Preston White, Esq., C. E.

Successful Candidates in order of Merit.

NAME.	AGE.	Place of Education.	Engineer to whom Articled, or under whom Served.
1. Mr. R. Gordon -	22	Not stated - - -	{ J. Woore, Liverpool. G. Forrester & Co., Liverpool. A. McLennan, Liverpool.
2. „ A. F. Watson -	22	Glasgow University -	{ D. Smith, Glasgow. Wylie & Peddie, Edinburgh.
3. „ A. N. Nimmo -	18	Dollar Institution - -	R. Thornton, Edinburgh.
4. „ A. Izat - -	19	Dollar Institution - -	J. Bell, North British Railway.
5. „ S. D. Alexander	20	Queen's College, Galway	J. Wright, Westminster.
6. „ G. Potheary -	21	Not stated - - -	W. Humber, Westminster.
7. „ C. Blair - -	19	Dollar Institution - -	W. Robertson, Glasgow.
8. „ W. C. Rennie -	19	{ Glasgow University - Dollar Institution - }	Bell & Miller, Glasgow.
9. „ F. M. Avern -	18	King's College, London -	C. P. B. Shelley, Westminster.
10. „ W. Scott - -	22	Queen's College, Galway	A. Gahan, Omagh.

NUMBER of MARKS assigned to each Candidate.

	Mathematics.	Civil Engineering.	Surveying and Levelling.	TOTAL.		Mathematics.	Civil Engineering.	Surveying and Levelling.	TOTAL.
1	366	320	103	789	14	256	270	74	600
2	256	335	147	738	15	252	283	65	600
3	382	260	93	735	16	207	295	85	587
4	371	265	75	711	17	286	235	54	575
5	242	330	137	709	18	203	275	79	557
6	275	300	108	683	19	176	305	61	542
7	283	315	82	680	20	176	270	67	513
8	323	290	63	676	21	131	285	66	482
9	224	335	99	658	22	110	270	88	468
10	272	275	96	643	23	212	190	56	458
11	343	245	49	637	24	80	270	72	422
12	218	310	94	622	25	84	190	26	300
13	312	230	69	611	26	52	235	1	288

PUBLIC WORKS DEPARTMENT—INDIA.

CIVIL ENGINEER ESTABLISHMENT.

EXAMINATION PAPERS for June 1863.

2 June 1863.

EUCLID.—Rev. J. Cape.

1. DEFINE *scalene triangle, acute angled triangle, rhombus, segment of a circle, and similar segments.*

2. Upon the same base, and on the same side of it, there cannot be two triangles that have their sides, which are terminated in one extremity of the base, equal to one another, and likewise those which are terminated in the other extremity.

3. If two triangles have two sides of the one equal to two sides of the other, each to each, but the angle contained by the two sides of one of them greater than the angle contained by the two sides equal to them of the other; the base of that which has the greater angle shall be greater than the base of the other.

4. Through a given point, to draw a straight line which shall make equal angles with two given straight lines.

5. In obtuse angled triangles, if a perpendicular be drawn from either of the acute angles to the opposite side produced, the square of the side subtending the obtuse angle, is greater than the squares of the sides containing the obtuse angle, by twice the rectangle contained by the side upon which, when produced, the perpendicular falls, and the straight line intercepted without the triangle between the perpendicular and the obtuse angle.

If the obtuse angle C be a third part of four right angles, then

$$AB^2 = AC^2 + BC^2 + AC \times BC.$$

6. If two circles touch each other externally, the straight line which joins their centres shall pass through the point of contact.

7. If a straight line touches a circle, and from the point of contact a straight line be drawn cutting the circle; the angles which this line makes with the line touching the circle, shall be equal to the angles which are in the alternate segments of the circle.

If two circles touch each other externally, and through the point of contact any two straight lines be drawn meeting both the circumferences, the chords of the two intercepted arcs will be parallel.

8. To inscribe an equilateral and equiangular hexagon in a given circle.

Compare the sides of an equilateral triangle, and an equilateral hexagon inscribed in a circle.

9. If a straight line be drawn parallel to one of the sides of a triangle, it shall cut the other sides, or these produced, proportionally: and if the sides, or the sides produced, be cut proportionally, the straight line which joins the points of section shall be parallel to the remaining side of the triangle.

10. In right angled triangles, the rectilineal figure described upon the side opposite to the right angle, is equal to the similar and similarly described figures upon the sides containing the right angle.

11. If the four sides of a trapezium be bisected, the lines joining the points of bisection shall form a parallelogram, whose area equals half the area of the trapezium.

4 PAPERS RELATING TO EXAMINATION OF CANDIDATES FOR

12. If two straight lines meeting one another be parallel to two other straight lines which meet one another, but are not in the same plane with the first two; the plane which passes through these is parallel to the plane passing through the others.

2 June 1863.

ARITHMETIC, TRIGONOMETRY, AND MENSURATION.—Rev. J. Cape.

1. FIND the value of $\left[\frac{3\frac{1}{2}}{7} + \frac{2}{10\frac{1}{2}} - \frac{5}{18} \text{ of } \frac{4}{7} \right] \times 1\frac{1}{2}$.
2. Divide 234·375 by ·0375; and also ·0375 by 234·375.
3. What are the vulgar fractions which can be reduced to *finite* decimals; and what are those which produce *recurring* decimals? Find the vulgar fraction equivalent to the recurring decimal ·1272727.
4. Find the value of ·75 of a guinea + $\frac{3}{8}$ of 5 s. + 0·6 of 7 s. 6 d. — $\frac{3}{4}$ of 2 d.
5. If 11 cwt. can be carried 15 miles for a sovereign, how far can 23 cwt. 14 lbs. be carried for 9 l. 5 s.?
6. What is the difference between discount and interest? Required the *true* discount on a bill of 612 l. 15 s. due 6 months hence, at $4\frac{1}{2}$ per cent. per annum.
7. Define *complement* of an arc, *sine*, *cotangent*, and *secant* of an arc.
8. In any plane triangle, the sides are to one another as the sines of the opposite angles.
9. Find from the tables the following quantities:—
 - (a.) Logarithm of 123·456.
 - (β.) Number corresponding to logarithm 3·456789, to six places of significant figures.
 - (γ.) Log sine of 123° 34' 50".
 - (δ.) Log cotangent of 55° 40' 40".
 - (ε.) Arc to log cosine 9·345678, to the nearest second.
10. In the triangle *ABC* whose sides are *AB* = 2569·2 links, *AC* = 4900·4 links, and *BC* = 5024·6 links: to find the angle *A* to the nearest second.
11. Explain the ambiguous case in plane triangles. When may the ambiguity be removed?
12. Wishing to know the height of a tower on the top of a hill, I took the angle of elevation of the top of the tower 51°, and of its bottom 40°; then measuring on a horizontal plane in a line directly from my first station to the distance of 250 feet further, I found the angle of elevation of the top of the tower to be 33° 45'. Required the height of the tower.
13. Find the area of the triangle given in the 10th Question, in acres, roods, and perches.
14. Find the area of the segment of a circle whose chord is 150 feet, and the arc contains 112° 30'.
15. The perambulator is so made as to turn twice in the length of 1 pole; required its diameter.
16. Find the whole superficies and the solid content of the frustum of a square pyramid, each side of the greater end being 20 feet, and each side of the lesser end 8 feet; also the perpendicular height being 8 feet.

17. What

17. What quantity of canvas is necessary for a conical tent, whose perpendicular height is 8 feet, and the diameter at the bottom 13 feet?

18. Required the number of cubic yards in an embankment, the transverse sections perpendicular to the axis being trapezoids, whose dimensions were as follows:

Horizontal lines at top, 22; 21·9; 21·6; 21·6; 21·8; 21·6; 22 feet.

Ditto - - bottom, 46; 46·9; 47·6; 50·2; 52·4; 55·2; 62 „

Perpendicular heights, 6; 6·3; 6·7; 7·2; 7·8; 8·4; 10 „

Also the common distance between two transverse sections was 50 feet.

4 June 1863.

ALGEBRA.—Rev. J. Cape.

1. Divide $x^4 - \frac{19}{6}x^2y^2 + \frac{1}{3}xy^3 + \frac{1}{6}y^4$ by $x^2 + 2xy + \frac{1}{3}y^2$.

2. Find the values of the following expressions:

$$(a). \frac{1}{2(x-1)} - \frac{1}{2(x+1)} - \frac{1}{x^2}.$$

$$(\beta). \frac{x+y}{y} - \frac{x}{x+y} - \frac{x^3 - x^2y}{x^2y - y^3}.$$

$$(\gamma). \frac{a+c}{(a-b)(x-a)} - \frac{b+c}{(a-b)(x-b)}.$$

3. Solve the equations:

$$(a). x - \frac{x-2}{3} = 5\frac{3}{4} - \frac{10+x}{5} + \frac{x}{4}.$$

$$(\beta). \sqrt{5x+10} = \sqrt{5x} + 2.$$

4. From a certain sum I took away a third part, and put in its stead £.50. Again, from the sum thus augmented I took away one-fourth, and put in its stead £.70; I then found that I had £.120. What was the original sum?

5. Solve the simultaneous equations:

$$(a). \frac{4x+5y}{40} = x-y; \text{ and } \frac{2x-y}{3} + 2y = 20.$$

$$(\beta). 3x-4y+5z = 24; 5x-2z = 1; \text{ and } 7x+6y-4z = 23.$$

6. A and B engage together in play. In the first game A wins as much as he had, and 4s. more, and finds he has twice as much as B. In the second game, B wins half as much as he had at first, and 1s. more, and then it appears he has three times as much as A. What sum had each at first?

7. Solve the equations:

$$(a). \frac{8}{x-3} - \frac{10}{x+5} = 3.$$

$$(\beta). x^2 + xy + y^2 = 84; \text{ and } x + \sqrt{xy} + y = 14.$$

8. A vintner sold 7 dozen of sherry and 12 dozen of claret for £.50. He sold three dozen more of sherry for £.10 than he did of claret for £.6. Required the price of each.

9. If 4 quantities, a, b, c, d be proportionals, they are also proportionals by composition, and division; that is,

$$a+b : a-b :: c+d : c-d.$$

10. The distance between two towns is 159 miles. The first day a person travels from one town towards the other 16 miles, the second day 15½, the third day 15, and so on. In what time will the journey be performed?

6 PAPERS RELATING TO EXAMINATION OF CANDIDATES FOR

11. If a be the first term, r the common ratio, the number of terms, and s the sum of a series in Geometrical progression: prove that

$$s = a \frac{r^n - 1}{r - 1}$$

Sum the series $1 - \frac{1}{2} + \frac{1}{4} - \frac{1}{8} + \&c.$, to infinity.

12. Find the values of

$$(\alpha) \quad \sqrt{243} - \sqrt{27} + \sqrt{75}.$$

$$(\beta) \quad ab \times \left[a\sqrt{a+\sqrt{c}} \right] \times \left[b\sqrt{a-\sqrt{c}} \right].$$

$$(\gamma) \quad \text{The cube of } 2\sqrt{a} + 3\sqrt[3]{x}$$

13. How many different numbers can be made out of two 2's, three 3's, and four 4's, supposing all the figures to be in every number.

14. Raise $2a^2 - \sqrt{x}$ to the 6th power by the binomial theorem.

4 June 1863.

MECHANICS AND HYDROSTATICS.—Rev. J. Cape.

1. Explain what is meant by the *parallelogram of forces*. And supposing the proposition already demonstrated as to the *direction* of the resultant; prove that it is also true as to its *magnitude*.

2. If any number of forces in the same plane acting on a point be represented in magnitude and direction by the sides of a polygon taken in order, they will be in equilibrium.

3. Four forces in the same plane, and represented by the numbers 10, 20, 30, 40 taken in order, act on a point. The directions of the first and third are at right angles to each other; and so are the directions of the second and fourth; and the second is inclined at an angle of 60° to the first. Find the magnitude and direction of the resultant.

4. A weight W is supported by two strings, which passing over two fixed pullies A, B not in the same horizontal line, have two weights P, Q at their other extremities; find the position of W , when at rest.

5. From a given rectangle of uniform thickness, to draw from one of its angles a line cutting off a triangle, so that the remaining trapezoid when suspended by the obtuse angle may hang with its parallel sides horizontal.

6. What are the requisites of a good balance? Investigate an expression which will show how these requisites may be obtained.

7. When a body is sustained upon an inclined plane, the power : the weight :: $\sin \alpha$: $\cos \epsilon$; α being the inclination of the plane to the horizon, and ϵ the angle which the string makes with the plane.

8. Prove that the principle of *virtual velocities* is true in the case of the inclined plane, the string being parallel to the plane.

9. To determine the horizontal thrust on the tie beam AD of the roof $ABCD$; of which the rafters AB, CD are equal, and BC is horizontal.

10. To determine the transverse strain of any beam fixed horizontally in a wall, when a weight is suspended at its extremity, the weight of the beam being neglected, and every particle at the instant of fracture exerting an equal force of cohesion.

Hence, on this hypothesis, show that a joist laid on its narrow edge b , is stronger than when laid on its flat side d , in the proportion of d to b .

11. Define *mass*, *weight*, *velocity*, and *momentum*; and prove that in the direct impact of two bodies, the momentum gained by one body, is equal to the momentum lost by the other.

12. *A* and *B* are perfectly elastic, and *A* with a velocity of 20 feet per second, strikes *B* at rest; find their velocities after impact—1st, when $A = B$; 2nd, when $A = 4B$; and 3d, when $A = \frac{1}{2}B$.

13. If a body be moved from a state of rest by a constant accelerating force, the space described from the beginning of the motion is as the square of the time.

Find the velocity acquired in 10 seconds, when a body falls from rest; and also the space described in the last second.

14. If a clock loses 30 seconds in 12 hours, how much must the pendulum be shortened to make it keep true time?

15. Explain *labouring force*, *unit of work*, *horse-power*, and *vis viva*. And prove that when any pressure acts upon a body, the labouring force is proportional to the *vis viva* which would be generated by this pressure acting through the same space.

How much labouring force is necessary to raise 85,000 gallons of water from a mine whose depth is 80 fathoms?

16. Prove that the surface of every fluid at rest is horizontal; and if there be two fluids of different densities in the same vessel which do not mix, their common surface also will be horizontal.

17. Find the centre of pressure of any plane surface.

In a rectangle placed vertically in water, having the upper side coinciding with the surface of the fluid, prove that the centre of pressure is at two-thirds of the depth of the lower side from the surface.

18. Explain the methods of determining the specific gravities of different bodies, whether solid, liquid, or gaseous.

A piece of copper weighs 62 grains in air, and 55 grains in water; required its specific gravity.

19. The density and elastic force of any gas at a temperature of 32° being given; to find the elastic force for any other temperature and density.

20. Explain the construction of the *common pump*, the *lifting pump*, and the *forcing pump*. What is the use of the air vessel?

EXAMINATIONS for CIVIL ENGINEER ESTABLISHMENT, INDIA. 1863.

Examiner—Colonel *H. Yule*.

All dimensions in these questions and surveys are in feet, if not otherwise specified.

5 June.

LAND SURVEYING AND PLOTTING.

1. (See Fig. 1.) A B C D E F G is in a regular field:

a. Detail how you would make an accurate plan of it;

1st. With chain only.

2d. With chain and compass.

b. Reduce the figure geometrically so that its area can be computed at a single calculation.

8 PAPERS RELATING TO EXAMINATION OF CANDIDATES FOR

2. In measuring with the chain only, you find your line intersected by an inundated pond, which your chain cannot span:

a. Show how you will continue your measurement across the water without wetting yourself.

b. Determine for your field-book the offset position of an obelisk standing in the water to the left of your line.

3. Plot the field book of the fragment of (chain and compass) survey shown in Fig 2. *Scale 200 feet to an inch.*

TRIGONOMETRICAL SURVEYING.

4. One of your triangulation points in a survey may be a church spire. When you come to observe from that station you cannot place your instrument on the spire, but you can place it (say) on the tower at its base. Detail the process of correction for the observation thus made.

5. It is a rule in accurate trigonometrical survey that no important triangle should have any angle less than 30° , or greater than 90° . Why? Illustrate your reply by a diagram.

6. Explain the principle of the Vernier.

7. Fig. 3. represents the plot of a small survey, for which the base A B was 2,000 feet in length; the scale being 500 feet to an inch.

a. On this base construct, to the best of your judgment, a triangulation, which shall fix at least *ten* points in the survey exclusive of A and B. Set down the details of the process of calculating all triangles necessary for the accurate determination of these points, so that nothing would remain to be done but to fill in the proper figures. No actual figures need be entered.

b. Explain how you would proceed, after triangulation, to fill in the details of the survey, by traverse with theodolite and chain; and complete as much as time will allow of actual field book, from which the survey might be plotted.

8 June 1863.

LEVELLING.

8. a. Explain the corrections theoretically applicable to any operation of levelling. b. Do these corrections operate in the same direction? c. Is it necessary to apply these corrections in ordinary observations with the spirit level for sections of ground, and why is it necessary or unnecessary?

9. In the absence of a regular levelling instrument what means would you make use of to obtain an approximate section of ground?

10. What arrangement is best as to the relative distance of your levelling instrument from the back-staff and fore-staff when you can choose? and why?

11. You are directed to select a line of road in a mountainous and uncleared region. Give some description of the way you would set about it, mentioning the instruments you would use.

12. I wish to ascertain if it is practicable to drain a stagnant pond A, by a long culvert into a river B, from which it is separated by undulating ground. The direct line is much built upon, and I follow the open ground. The following is my field-book. Plot the levels on a horizontal scale of 200 feet to an inch, and vertical scale of 10 feet to an inch. What will be the length and slope of the culvert if made in a straight line to the river? Fill up columns of rise, fall, and reduced level.

See page 3

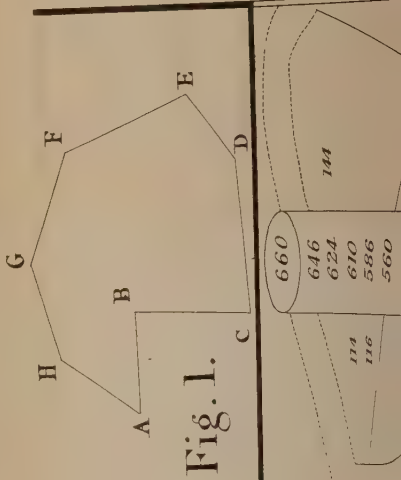
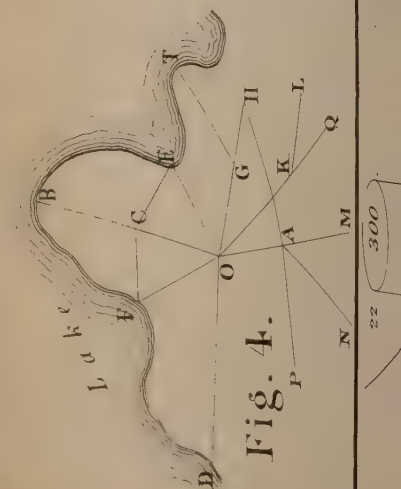
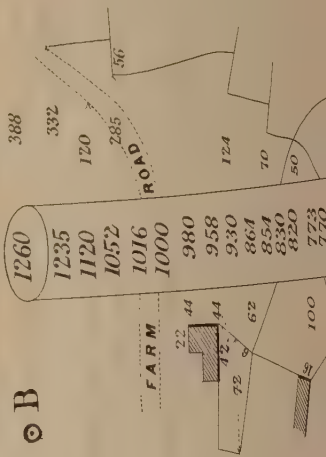
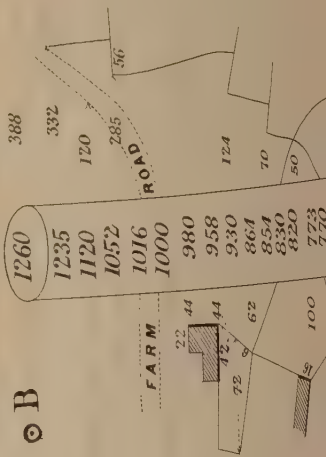


Fig. 2.



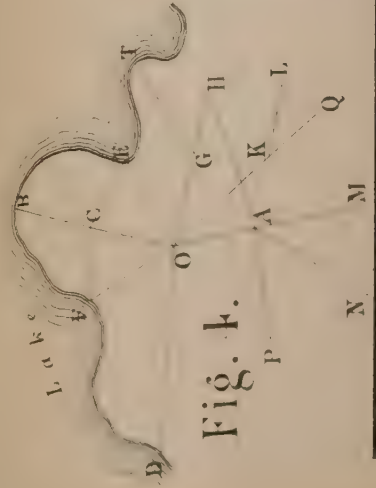


Fig. 4.

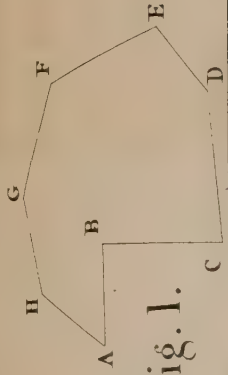


Fig. 1.

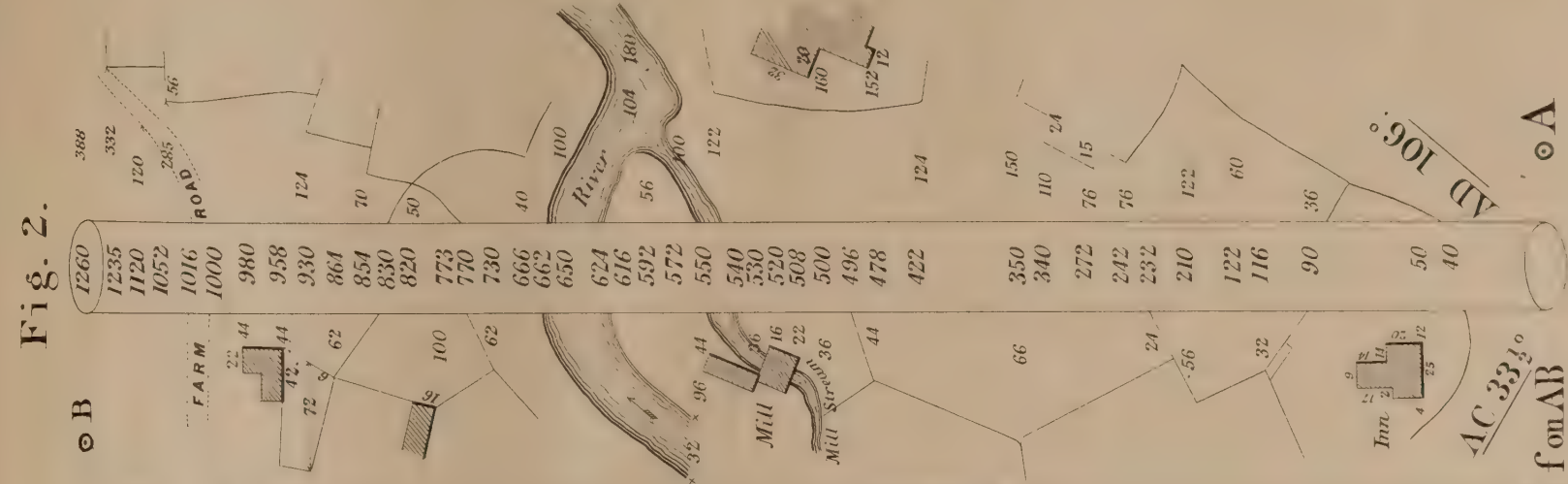
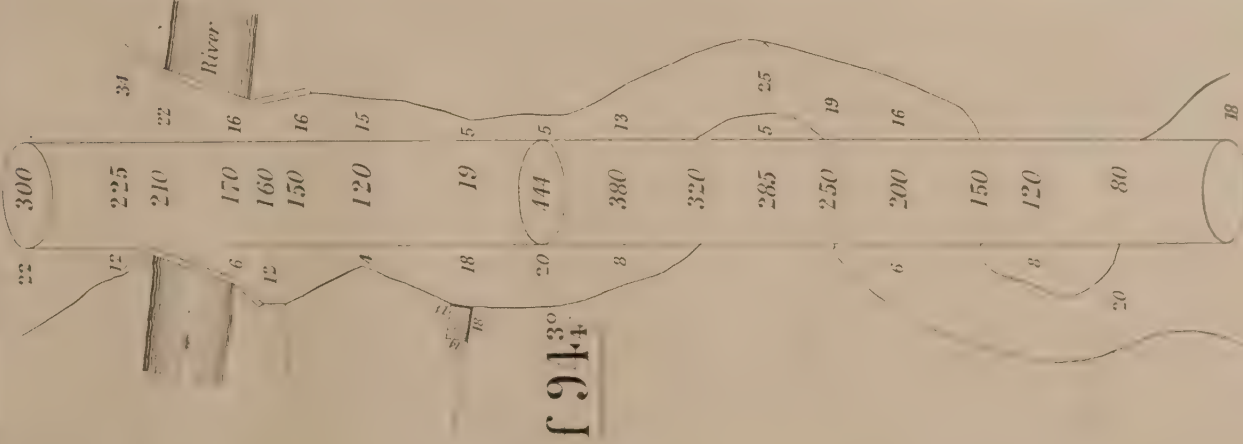
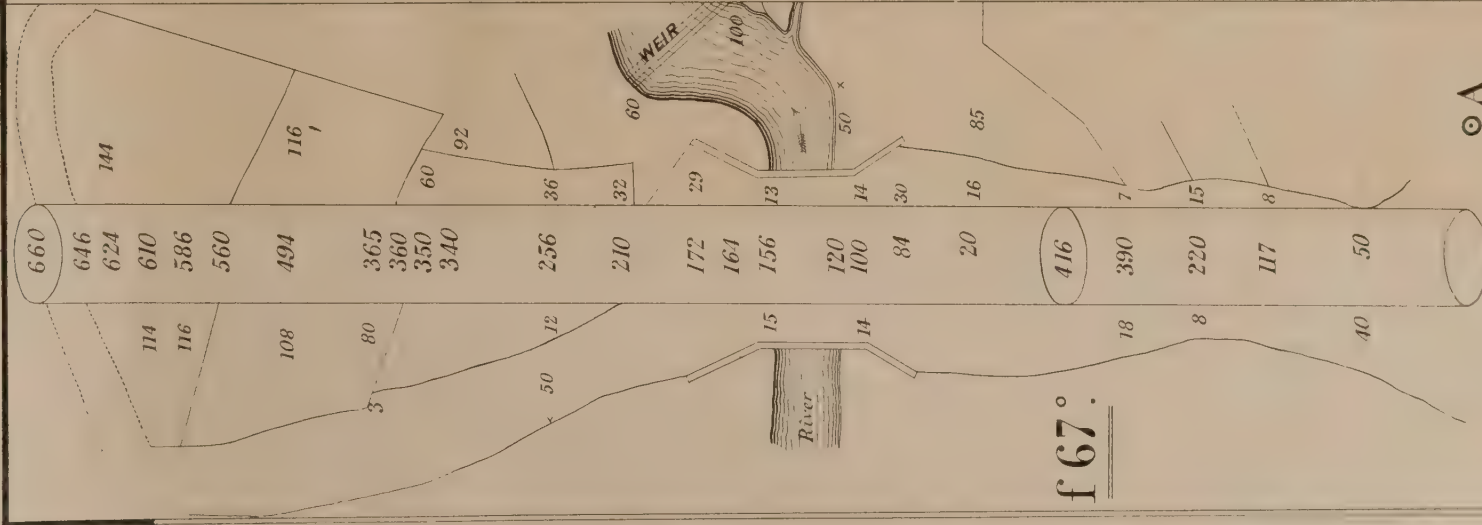


Fig. 2.



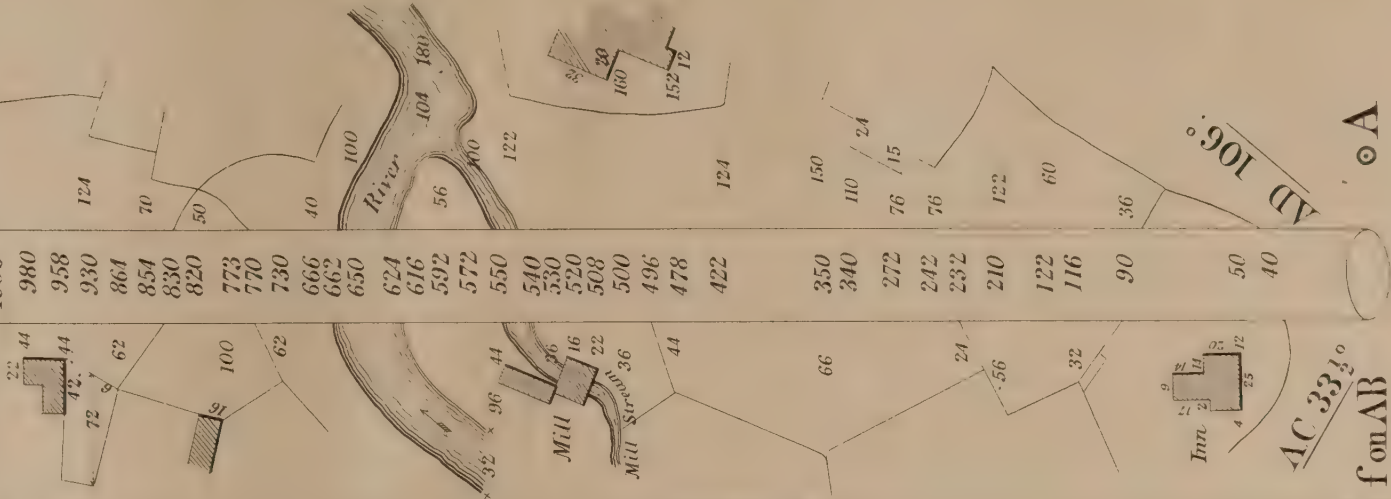
f 91³⁰₄

Return to $\odot A$ and proceed on AD



f 67°

Return to $\odot A$ and proceed on AC



f on AB 74¹⁰₄

Mag. North bearing 0°

Commence at Station A' on cross-roads in front of Inn.

to face page 8

FIG. 3.

SCALE—500 FEET TO ONE INCH.





SCALE—500 FEET TO ONE INCH.

FIG. 3.

Rough Sketches Not to Scale See Question N^o 15.

FIG. 5.
Elevation

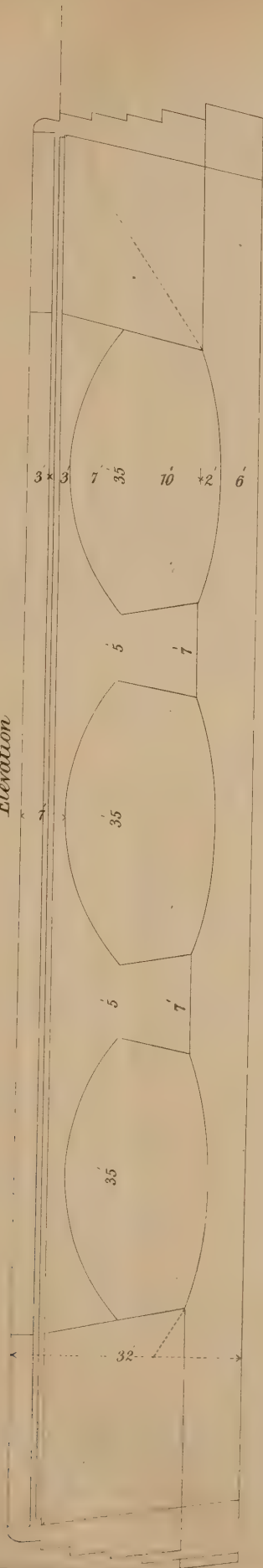


FIG. 7.
Plan of Wing

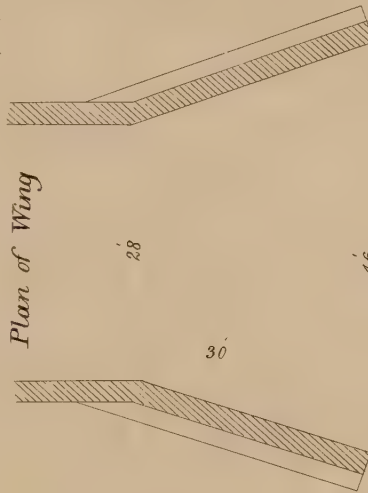


FIG. 6.
Section

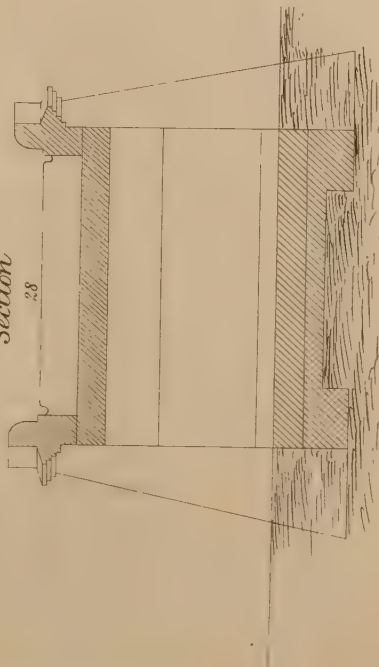


FIG. 8.
Section of Abutments

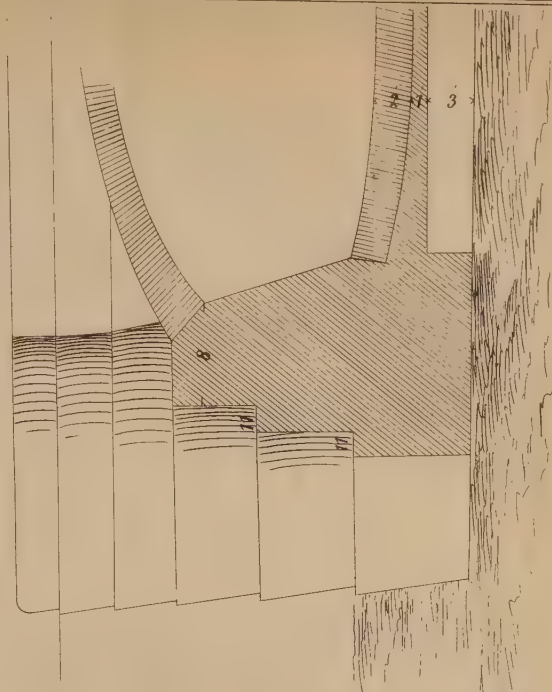


FIG. 9.
Section of Wings

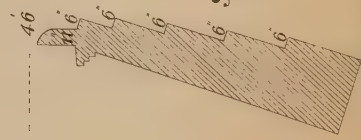
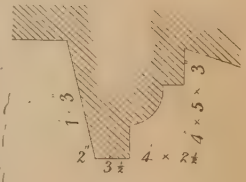


FIG. 10.
Cornice



FIELD BOOK OF LEVELS.

No. of Station.	BACK.			Instru- ment.	FORE.			Rise.	Fall.	Reduced Level.	REMARKS.
	Bearing.	Distance.	Level.		Level.	Distance.	Bearing.				
1	272°	120	10.25	4.95	4.05	120	92°				Datum assumed 50 feet below level of pond.
2	286°	120	6.46	—	5.19	60	84½°				
3	307°	60	4.02	5.65	7.10	120	127°				
4	307°	100	7.73	5.38	10.46	100	180¼°				No. 1 Back is at water-level of pond. Pole in deepest part of pond bears from No. 1 300°, and is 400 feet distant. Greatest depth 8 feet.
5	0¼°	120	4.20	5.02	7.63	50	205°				
6	8½°	50	6.89	4.96	5.25	120	214°				No. 7 Fore is at highest ordinary level of river.
7	34°	62	2.44	—	11.56	62	214°				

13. The following notes of bearings and measurements have been taken, in order to lay down the contours of a piece of rising ground. *a.* Lay down the plan of contours in ink, on a scale of 200 feet to an inch, and shade in the form of the hill with pencil, over these contours. *b.* Also draw a section on the line B O, O M.

[Note.—The contours are at vertical intervals of 10 feet. The contours, commencing from above, are marked (a), (b), (c), &c. See Diagram, fig. 4.]

BEARINGS.				Distances at which Contours are intersected.					REMARKS.
				(a)	(b)	(c)	(d)	(e)	
From highest point O, O B bears 11½°, and intersects contours at -				48	114	240	375	555	At 795 strikes lake 7.5 feet below (e). At 336 strikes lake. At 705 strikes lake. At 267 strikes lake.
" " O E " 60° " -				42	108	159	189	222	
" " O H " 108° " -				66	186	231	255	273	
" " O Q " 125° " -				72	318	372	423	477	
" " O M " 164½° " -				87	228	288	330	354	
" " O D " 276° " -				48	108	231	345	483	
" " O F " 325° " -				33	63	120	159	192	
From A, a point on O M, 144 feet from O - A P " 265° " -				—	72	141	198	228	At 330 strikes lake.
" " A N " 207° " -				—	135	255	387	447	
" " A H " — " -				—	132	159	189	219	
From G, a point on O H, 186 feet from O - G T " 57° " -				—	—	75	126	180	
" " G E " — " -				—	—	66	87	114	
From C, a point on O B, 240 feet from O - C E " — " -				—	—	72	135	177	
" " C F " — " -				—	—	—	60	96	
From K, a point on O Q, 318 feet from O - K L " 100° " -				—	—	60	147	249	

GEOMETRICAL DRAWING.

14. Construct accurately a scale of feet, inches, and sixteenths of an inch, on the diagonal principle. The foot to be made = 5⁄8 of an inch.

15. From the data given in the rough sketches (Figs. 5 to 10), represent the bridge shown therein in isometrical perspective on a scale of 20 feet to an inch.

EXAMINATION PAPERS for Competitive Examination of Candidates for Appointments in the Engineer Establishment of the Department of Public Works in India, held at the India Office, London, in June 1863.

George Preston White, C.E., Examiner.

[Note.—You are particularly requested to write legibly, and to answer the questions as concisely as possible. Prefix the number of the question to each answer. In those cases in which free-hand sketches or diagrams are used to illustrate the subject, it is requested that they may be carefully executed, in order to show the Candidate's proficiency in this style of Drawing. Candidates must not, during the Examination, refer to any book or MS., nor communicate with each other; their doing so will disqualify them. Candidates are required to produce *bonâ fide* finished drawings, with certificate, respecting which there will be a *vivâ voce* examination.]

Describe the course of education you have undergone, name the Engineer to whom you have been a pupil, the number of years articulated, the nature of the works on which you have been engaged, and state in what branch of the profession you have had most practical experience.

RAILWAY ESTIMATES.

Calculate the quantity of earthwork in the accompanying Table; explain how the Tab. Numb. is obtained, and the different modes of calculating earthwork.

Cuttings.

Base 30 feet. Slope 1½ to 1.

Number on Section.	Depths.		Lengths in Links.	Tab. Numb.	Cent. C. Yds.	Total in C. Yds.	Price.	£. s. d.
1	0	22	7'00	21'19				
"	22	28	8'00	62'76				
"	28	17	15'00	53'69				
"	17	0	29'00	14'80				
2	2	7	20'00	6'24				
"	7	9	10'00	12'46				
"	9	3	10'00	8'83				
"	3	7	20'00	7'02				
"	7	7	15'00	10'50				
"	7	2	15'00	6'24				
3	3	9	25'00	8'83				
"	9	2	25'00	8'02				
"	2	8	10'00	7'11				
"	8	7	5'00	11'46				
"	7	0	10'00	4'80				
4	4	16	20'00	17'33				
"	16	16	20'00	32'00				
"	16	25	25'00	46'50				
"	25	23	20'00	58'69				
"	23	0	10'00	22'57				

RAILWAY ESTIMATES.

Fill up the prices and amount in the accompanying Table for a Parliamentary Railway Estimate, and state at what distances usually it becomes desirable to throw stuff to spoil, and use side cutting.

Base, 30 feet. Slopes, 1½ to 1.

Number on Section.	Contents in Cube Yards.	Material.	Where taken to.	Average lead in Chains.	Price per Cube Yard.	Amount.
					£. s. d.	
1	18,334	Brown and blue clay	No. 1 Bank -	20 chains		
"	43,118	Ditto - ditto -	No. 1A Bank -	40 "		
"	301	Ditto - ditto -	No. 2 Bank -	8 "		
	5,600	Ditto - ditto -	{Subsidence in No. 1A Bank 10 per cent. on contents -}	40 "		
	19,500	{Stuff for burning into ballast for 1 mile 5 furlongs, including fork, or to widen bank -}		40 "		
	37,507	{Clay to spoil or to widen banks -}				
2	12,000	{Stuff for burning into ballast for 1 mile up to 2d mile, or to go to spoil -}		40 "		
	36,128	Clay - - -	To spoil - -			
3	786	Yellow and blue clay	No. 3 Bank -	8 "		
"	12,000	{Stuff for burning into ballast for 1 mile to 3d mile, or to go to spoil -}		40 "		
"	26,660	Clay - - -	To spoil - -			
4	88,229	Yellow and blue clay	No. 4 Bank -	60 "		
"	9,577	Ditto - ditto -	{Subsidence in No. 4 Bank 10 percent. on contents -}			
"	24,000	{Stuff for burning into ballast for 2 miles up to 5 miles, or to spoil bank -}		40 "		
"	112,402	Yellow and blue clay	{To widen banks or to spoil -}	40 "		
					TOTAL - - - £.	

Roofs.

5. Make a free-hand sketch of a Mansard roof, an M roof, and a Hammer-beam roof, and explain the object of the hammer-beam.

6. Explain the objects of the following parts of a roof, viz., king post, queen post, tie beam, straining beam, rafters, purlins, braces, ridge piece, struts; and make a free-hand sketch of a truss for a roof 45 feet span, showing the connexion of the different parts, and explain the different strains.

7. Give the names of some remarkable examples of roofs in wood and iron, stating the span.

8. Make a free-hand sketch to show the mode employed to counteract the thrust and settlement in a mediæval roof, that is where an ordinary horizontal tie beam cannot be introduced.

Irrigation.

9. In carrying out works of irrigation in tropical countries, state what are the chief circumstances requiring attention.

10. State what has been the average cost per acre to irrigate land in Piedmont, Lombardy, and India; and what is the average return on money thus invested, and the increase of produce due to irrigation.

11. Describe the different modes employed to irrigate land. Name the crops most requiring irrigation, specifying which require complete and which partial irrigation, and the length of time and seasons of the year when water is most required.

12. What is the maximum and minimum gradient per mile you would recommend for the main canals in works of irrigation?

13. Assuming the evaporation in Southern India to be half an inch per day, how many tons of water would be evaporated from an acre of land completely irrigated per day?

Foundations.

14. Describe the different methods in practice for making foundations under water. State the comparative advantages of the different systems, and make free-hand sketches to illustrate the subject.

15. State which are the best and which are the most difficult soils to form foundations on.

Bridges and Viaducts.

16. Describe the different forms of girder, viz.:—The trellis, the Warren, the tubular, the bow and string, and Brunel's girder; state the comparative advantages and cost.

17. What are the circumstances which would guide you in employing cast iron, wrought iron, stone, brick, timber, or wire, in the construction of bridges and viaducts?

18. Make a design for a centre, of simple construction, for a brick elliptical arch of 50 feet span and 20 feet rise, and name any important example of bridge centering.

19. Give transverse sections of the best forms for girders of cast, wrought, and boiler plate iron, and state the general results arrived at from the experiments of Messrs. Stephenson, Fairbairn, Hodgkinson, and Barlow.

Miscellaneous.

20. Enumerate some of the scales most commonly used for plans, elevations, and sections.

21. In what strata is coal, iron, lead, copper, tin, fire-clay, most commonly found? What are the surface indications of the existence of minerals? State

briefly the usual methods employed for exploring, working, draining, and ventilating mines; and describe the principle of the Davy lamp.

22. Explain the uses of the fly-wheel, the governor, and the parallel motion of a steam engine; make free-hand sketches of the two latter, and state by whom they were invented.

23. How is pig-iron, wrought-iron, and steel manufactured; and what is the object of employing the hot blast. Give the letters or marks used in the trade, and in specifications to denote the different qualities of iron.

24. State how you would test a wrought-iron and cast-iron bridge-girder; what load per foot run you would subject it to; and what is the weight of a platform loaded with men per square yard.

25. What is superheated steam, and what is the object of employing it? What is the advantage of working steam expansively?

26. Describe the materials employed in the manufacture of bricks; the mode of manufacturing and burning bricks; the names of the different qualities; and what constitutes good bricks.

27. Give the names of standard professional works of reference on the following subjects:—

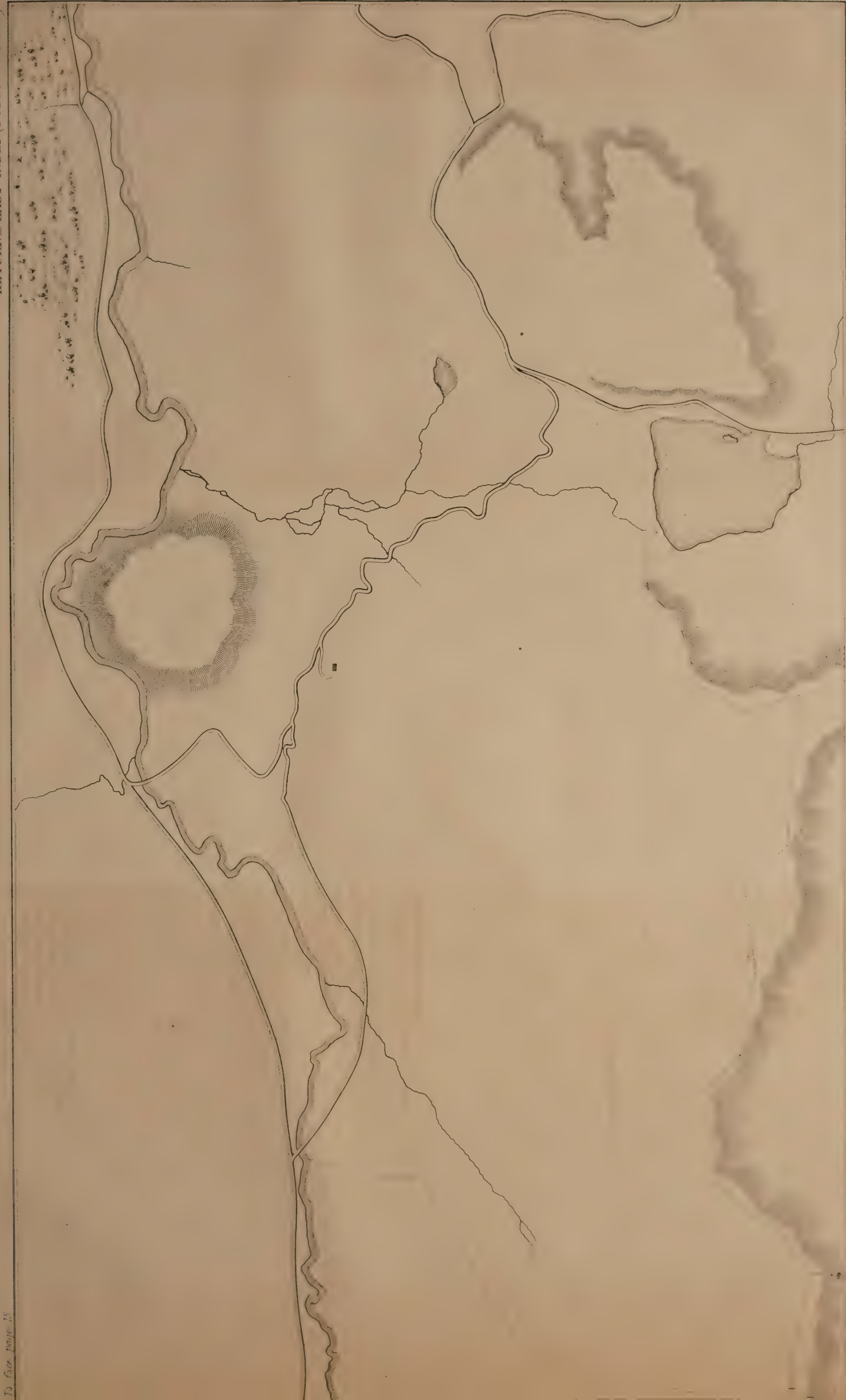
Architecture.	Limes, mortars, and cements.
Bridges of brick, stone, timber, cast and wrought-iron and wire.	Masonry.
Building materials.	Mining.
Carpentry.	Machinery.
Canals of navigation and irrigation.	Preserving timber from dry rot and decay.
Drainage.	Road making.
Engineering biography.	Railways.
Engineering reports.	Surveying.
Embanking land from the sea and from rivers.	Specifications.
Foundations.	Strength of materials.
Harbours.	Steam engine, locomotive and stationary.
Iron (manufacture of).	Tunnelling.
India, reports on public works, and works of topography.	Tables for earthwork, quantities, and to facilitate calculations, &c.
Law of contracts.	Water supply to towns.
Lighthouses.	

28. Explain the meaning of the following terms:—Abutment, adit, level, ashlar, backing, balustrade, batten, batter, bay, bond, bracket, breaking joint, bressumer, butting joints, buttress, caisson, camber, cantalever, crank, catenary curve, chamber (lock), clamp, coffer dam, collar beam conduits, coping, cornice, counterforts, coursed masonry, cross beam, culverts, deflection, discharging arch, dove-tail, dry rot, eaves, entablature, extrados, fascines, façade, fender piles, flying buttress, footings, gable, girder, groin, groined arches, grillage, grout, Gunter's chain, grooved and tongued, hammer-beam, haunches of an arch, headers, herring-bone work, hip roof, intrados, invert, joggle joint, key, lewis, malleability, neutral axis, pediment, pilaster, pontoon, puddling, purlins, puzzolana, quoins, rafters, rendering, retaining walls, ruling gradient, scantling, scarfing, soffit, spandrel, specific gravity, springing course, strut, templet, tensile strain, tie beam, torsion, truss, under pinning, wire gauge, water shed, spigot, and faucet joint.

29. Name some of the principal works of the following Civil Engineers:—Sir Cornelius Vermuyden, Sir Hugh Myddleton, James Brindley, James Watt, John Smeaton, John Perry, William Murdoch, Ralph Walker, R. Trevethick, Joseph Huddart, William Jessop, William Chapman, Robert Mylne, Thomas Telford, John Rennie, Alexander Nimmo, Sir Mark Isambard Brunel, George Stephenson, Robert Stephenson, M.P., Joseph Locke, M.P., Robert Stevenson of Edinburgh, Sir William Cubitt, Isambard Kingdom Brunel, Sir John Rennie, Sir John Macneill.

30. Explain the principle of the Artesian well, the cause of the water in some instances rising above the surface of the ground, the usual mode of construction, and the best water-bearing strata.

31. Name



31. Name the best kinds of stone for building, specifying those most durable for works under water.

32. Describe the characteristics of the different kinds of timber employed in building, and state their comparative cost and durability.

33. Name the different kinds of lime and cement used in building ; describe their properties, and specify those which are hydraulic. What is the chemical difference between ordinary and hydraulic limes ? Explain how artificial hydraulic limes can be made, according to the experiments of Vicat and others ; and state how you would test the quality of limes and cements.

34. Describe the advantages of the slide-rest principle, and mention some of its most important applications to machinery.

35. Describe the means employed in Holland and other countries for embanking land from the sea and from rivers.

36. Explain the various means employed for improving the navigation of rivers ; and describe some successful example, such as the Clyde.

37. Describe the usual means employed for raising water ; state what percentage of useful effect can be obtained respectively from overshot, breast, and undershot wheels, and from the turbine ; and describe their comparative advantages, and the head of water required.

38. Explain the different systems employed for supplying towns with water, and give examples.

39. Explain briefly the principal features of the system for the drainage of London now being carried out by Mr. Bazalgette.

40. Describe briefly the principal parts of the locomotive engine ; and state the improvements introduced by Stephenson.

[The candidates were required to make a finished drawing on the accompanying skeleton map.]

EAST INDIA
(PUBLIC WORKS DEPARTMENT).

RETURNS of the Names of EXAMINERS appointed to examine the CANDIDATES who presented themselves since the last Return, for Admission to the ENGINEER'S ESTABLISHMENT and PUBLIC WORKS DEPARTMENT of *India*; of the Names of the SUCCESSFUL CANDIDATES in Order of Merit; of the MARKS which were assigned on each Subject to every CANDIDATE; and, of the EXAMINATION PAPERS of each SUBJECT (in continuation of Parliamentary Paper No. 76, of Session 1863).

(*Mr. Adam.*)

Ordered, by The House of Commons, to be Printed,
21 July 1863.

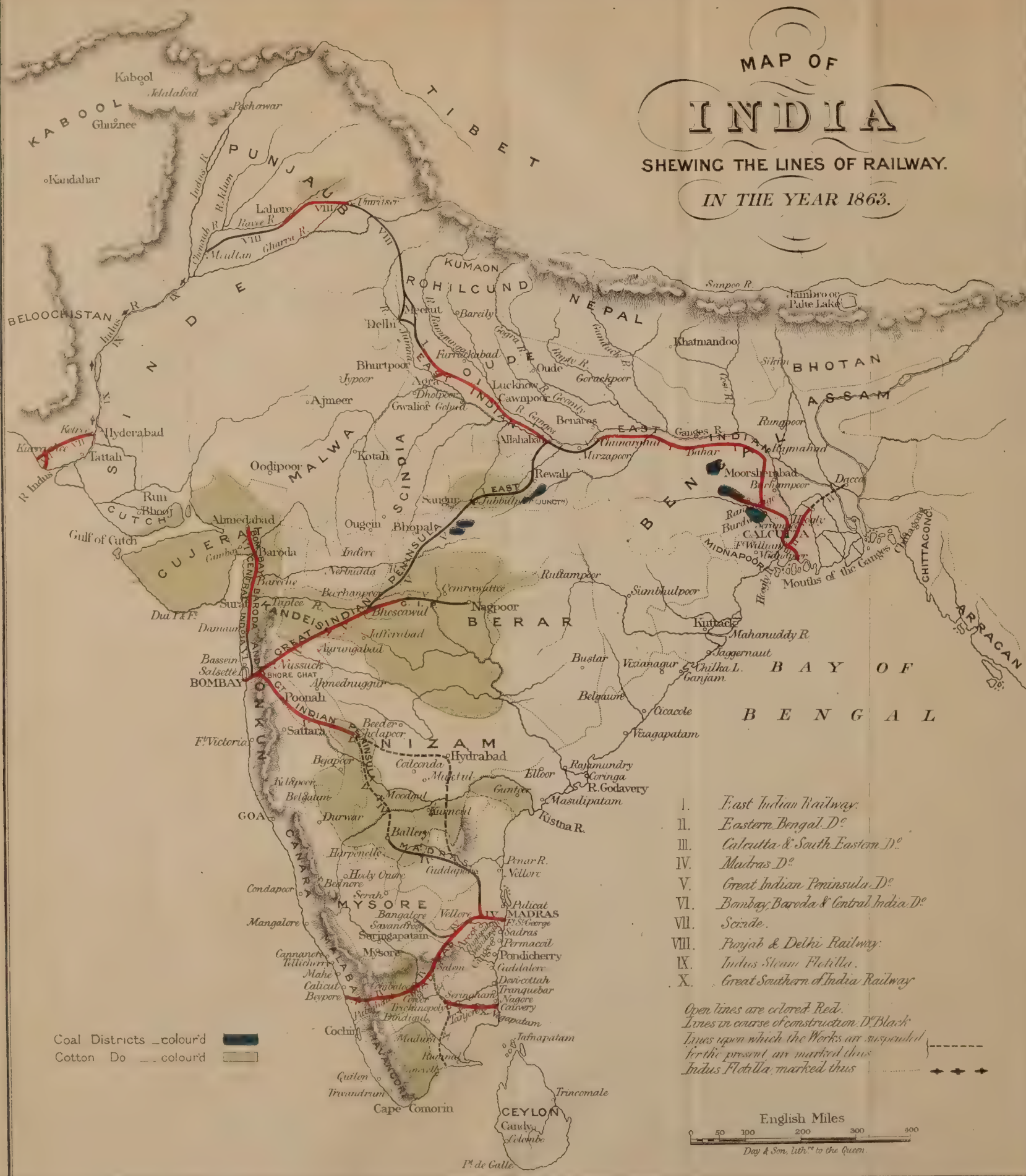
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MAP OF INDIA

SHEWING THE LINES OF RAILWAY.
IN THE YEAR 1863.



21

REPORT

TO

THE SECRETARY OF STATE FOR INDIA IN COUNCIL

ON

RAILWAYS IN INDIA,

FOR THE YEAR

1862-63.

BY JULAND DANVERS, ESQ.,

GOVERNMENT DIRECTOR OF THE INDIAN RAILWAY COMPANIES.

Presented to both Houses of Parliament by Command of Her Majesty.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

FOR HER MAJESTY'S STATIONERY OFFICE.

CONTENTS.

	Paragraph.	Page.
PROGRESS OF WORKS - - - - -	2, 3	3
IMPORTANT WORKS COMPLETED - - - - -	4—6	3
PROGRESS ON THE UNOPENED LINES - - - - -	7	3
TABLE, SHEWING LENGTH OF EACH LINE OPENED AND TO BE OPENED -	8	4
JUBBULPORE LINE CONTRACTED FOR - - - - -	9	4
LINE BETWEEN UMRITSER AND DELHI - - - - -	10	4
ROUTE FOR SECTION MIDWAY ON LINE BETWEEN BOMBAY AND MADRAS -	11	4
SHIPMENT OF MATERIALS - - - - -	12—14	5
NUMBER OF PROPRIETORS - - - - -	15	5
PERSONS EMPLOYED ON OPEN LINES - - - - -	16	6
FINANCIAL POSITION OF THE RAILWAY COMPANIES - - - - -	17	6
STATEMENT SHOWING FINANCIAL OPERATIONS DURING PAST YEAR 1862-63 -	—	7
„ GIVING ESTIMATES FOR CURRENT YEAR - - - - -	—	8
„ „ TOTAL AMOUNTS ESTIMATED TO BE REQUIRED TO COMPLETE LINES - - - - -	—	9
ESTIMATED EXPENDITURE IN FUTURE YEARS - - - - -	18	10
AMOUNT ANNUALLY EXPENDED SINCE 1850 - - - - -	19, 20	10
DIVISION OF PAST EXPENDITURE - - - - -	21	10
CONTRIBUTIONS BY GOVERNMENT TO THE RAILWAYS BEYOND THE GUARANTEE	22, 23	11
EXPENDITURE ON ROLLING STOCK - - - - -	24	11
EAST INDIAN RAILWAY, PRESENT CONDITION AND TRAFFIC OF - - -	25—28	11—14
GREAT INDIAN PENINSULA RAILWAY „ „ - - -	29, 30	14—16
MADRAS „ „ „ - - -	31	16, 17
BOMBAY AND BARODA „ „ „ - - -	32	17, 18
SCINDE „ „ „ - - -	33, 34	18, 19
PUNJAB „ „ „ - - -	35	19
INDUS FLOTILLA „ „ „ - - -	36	19
EASTERN BENGAL „ „ „ - - -	37, 38	19
CALCUTTA AND SOUTH-EASTERN „ „ „ - - -	39, 40	20
GREAT SOUTHERN OF INDIA „ „ „ - - -	41, 42	20
GENERAL TRAFFIC - - - - -	43—47	20, 21
SLEEPERS, IRON AND WOOD - - - - -	48, 49	21
GUARANTEED INTEREST - - - - -	50—52	21, 22
CONCLUSION - - - - -	53	22

REPORT.

To the Right Honourable Sir CHARLES WOOD, Bart., G.C.B., M.P.

SIR,

India Office, May 1863.

I HAVE the honour to submit my Fourth Annual Report on Railways in India, being that for the year 1862-63.

2. The progress made towards the completion of the lines has, upon the whole, been satisfactory. Seven hundred and forty-seven (747) miles had, on the 31st December last, been added to the $1,609\frac{1}{4}$ which were open for traffic on the 1st January 1862. Since the beginning of this year, one hundred and eighty-four (184) miles more have been finished, making a total of two thousand five hundred and twenty-eight (2,540) miles upon which passengers and goods are now being conveyed.

3. The greatest distance traversed in a direct line without interruption is on the East Indian Railway from Calcutta to Benares, a length of five hundred and forty (540) miles; the next greatest is the trans-peninsula line from Madras to Beypore, which is 405 miles; and the next from Bombay to Sholapore, across the Bhore Ghât, a length of 295 miles.

4. Several works of great importance and magnitude occur on the lines which have been recently opened. The ascent by the Great Indian Peninsula Railway of the Bhore Ghât, between Bombay and Poonah, comprises some of the most formidable of these. In a distance of 15 miles, the Railway climbs a height of 1,831 feet, the difficulties in its course being overcome by such a series of cuttings, tunnels, viaducts, and embankments as is hardly to be found within the same space in any other work in the world, and are only rivalled in India by those on the sister incline over the Thull Ghât. This arduous undertaking, the particulars of which have been described in a previous report, was carried out by Mr. J. J. Berkley, the Chief Engineer to the Great Indian Peninsula Railway, who, unhappily, has not lived to witness the result of his skill and labour. The addresses to and from Sir Hy. Bartle Frere, K.C.B., the Governor of Bombay, on the occasion of the official opening of the Bhore Ghât Incline, will be found in the Appendix.

5. The Soane Bridge, on the East Indian line, is another magnificent work. Almost twice the length of the railway bridge over the Thames at Charing Cross, it consists of 27 iron girders of 150 feet each, supported on brick foundations. When it is remembered that this immense mass of iron-work has been sent out from England and conveyed hundreds of miles up country, the difficulty of the undertaking, irrespective of its magnitude, will be understood.

6. The bridges on the Baroda line, over the Bassein, Taptee, Nerbudda and Mhye Rivers, crossing water-way to an extent of about six miles, are also very remarkable works. The foundations, in each case, consist of screw piles, braced together and fixed in the bed of the river, the superstructure being made of wrought-iron girders.

7. In addition to the work done to enable 930 miles of new line to be opened, fair progress has been made on the unopened lines, and it is expected that in the course of the present year, between six and seven hundred miles more will be ready for traffic.

8. The following Statement shows the present condition of each railway in respect to its completed and uncompleted portions :—

Railway.	Total Length.	Length opened during 1862.	Length opened since 1st January 1863.	Total Length now opened.	Length remaining to be finished, and estimated Extent in each Year.			
					1863.	1864.	1865 and subsequently.	Total.
	Miles.					Jubbulpore Line.		
East Indian - - - -	1,369 $\frac{1}{2}$	318	90	972 $\frac{1}{2}$	172	—	225	397
Great Indian Peninsula - -	*1,266	57 $\frac{1}{2}$	63	557 $\frac{1}{2}$	32	536 $\frac{1}{2}$	140	708 $\frac{3}{4}$
Madras - - - -	*850	150	—	448 $\frac{3}{4}$	76	84 $\frac{1}{4}$	241	401 $\frac{1}{4}$
Bombay, Baroda, and Central India -	310	34 $\frac{3}{4}$	17 $\frac{3}{4}$	185 $\frac{1}{2}$	124 $\frac{3}{4}$	—	—	124 $\frac{3}{4}$
Scinde - - - -	114	(Opened in 1861.)		114	—	—	—	—
Punjab - - - -	252	32	—	32	220	—	—	220
„ Delhi - - - -	300	—	—	—	—	—	300	300
Eastern Bengal - - - -	110	110	—	110	—	—	—	—
Great Southern - - - -	79	30	—	79	—	—	—	—
Calcutta and South-Eastern - -	29	15	14	29	—	—	—	—
Total - - - -	4,679 $\frac{1}{4}$	747	184 $\frac{3}{4}$	2,527 $\frac{3}{4}$	624 $\frac{3}{4}$	620 $\frac{3}{4}$	906	2,151 $\frac{3}{4}$

* The length of these lines depends upon the course chosen for the line from Sholapore to Madras.

9. A contract has been made by the East Indian Railway with Messrs. Waring & Co. for the Jubbulpore line, which has now been fairly commenced. The contract price for the 225 miles, exclusive of permanent way, locomotive engines, and rolling stock, was Rs. 1,31,71,841.

10. With regard to the line from Umritser towards Delhi, it has been decided that, instead of going, as originally proposed, direct through Ferozepore to Delhi, on the right bank of the River Jumna, it shall proceed by the left bank, making a circuit of between thirty and forty miles through a richer country, and by the important towns of Loodiana, Umballa, and Meerut. The Company, who had undertaken to construct it, has issued shares representing a capital of 2,500,000%, upwards of 1,000,000% of which has been paid into the Government Treasury.

11. The examination of the country midway between Bombay and Madras is still going on, and it has not yet been determined whether the lines of the Madras and the Peninsula Railways shall meet at Hyderabad or whether the original route by Bellary shall be followed. Each line has its advocates. On one side it is contended that the direct route is 40 miles shorter than the new one, and is therefore more suitable for political objects; that it is more important that Bellary should be on the main line than Hyderabad, where disturbances would peril the communications; that by adopting the Hyderabad line the capital to be expended in completing the communication between Madras and Bombay would be increased, and that this would reduce the prospect of a return from the through traffic. On the other side it is argued that, while it is true that the through traffic between Madras and Bombay ought not to be carried an unnecessary distance, there is really, comparatively, but small through traffic to provide for, the natural flow of the traffic being from the interior to the coasts on each side; that the centre tract of country which the direct line would traverse has no large towns and but a scanty population; that though called the direct line in comparing it with that by Hyderabad, it is not really a direct one, inasmuch as it goes 30 miles to the left to touch Bellary, and 60 miles to the right to pass through Sholapore, and that, consequently, it cannot be very unwise to diverge 40 miles to reach so important a place as Hyderabad, which, both on political and commercial grounds, it is more desirable to have on the main line than Bellary; that, if disturbances should arise there, the assistance of a railway would be a source of strength and

security to the Government rather than a weakness; and lastly, that, although longer, the mileage cost would not be greater, and it would be a more paying line both on the Madras and the Bombay sides. It is not improbable that the surveys which are now being made may result in the discovery of an improved route for the line *viâ* Hyderabad:—until they are completed, the question remains in abeyance.

12. The following Statement relates to the shipment of stores and fuel, and of materials manufactured in this country for the construction of the lines. In the year 1861, the goods sent out weighed 182,621 tons, and cost 1,669,443*l*. Last year these respective amounts were 138,013 tons and 1,487,582*l*. Shipment of materials.

13. The losses during the past year were below the average of former years, and consisted of one ship employed by the Punjab Company with goods valued at 4,073*l*., and goods to the value of 250*l*. belonging to the Calcutta and South-Eastern Railway. The latter were lost while being landed at Calcutta.

For the Year 1862.

Railway Company.	Number of Ships employed.	Amount of Goods in Weight and Measurement.	Value of Goods.	Amount paid for Freight and Insurance.
		Tons.	£	£
East Indian - - - -	36	32,911	459,625	57,165
Great Indian Peninsula - - - -	90	38,703	427,673	73,085
Madras - - - -	50	24,002	168,583	26,790
Bombay and Baroda - - - -	35	13,263	178,467	25,976
Scinde - - - -	33	2,651	33,164	7,035
Punjaub - - - -		48	2,980	183
Indus Flotilla - - - -		14,408	81,537	34,148
Eastern Bengal - - - -		10,669	122,817	27,475
Great Southern - - - -	2	1,124	11,077	2,167
Calcutta and South-Eastern - - - -	7	234	1,659	367
Total - - - -	280	138,013	1,487,582	254,391

14. This, added to former years, makes a total of 2,597,941 tons of materials of the value of 13,843,392*l*., which have been sent out to India from this country in 3,292 ships for the purposes of the railways.

15. On the 31st December 1862, the number of proprietors and debenture holders were 31,420, having increased by 5,260 in the course of the year. The numbers increase in about the same ratio as the capital. Number of Proprietors.

NUMBER of Proprietors in the Indian Railways on the 31st December 1862.

	Number of Shareholders					Number of Debenture Holders.	Total Number of Proprietors.
	With Stock to the Amount of 1,000 <i>l</i> . and upwards.	With Stock of less than 1,000 <i>l</i> .	Total Number in England.	Registered in India.	Of which latter are Natives.		
East Indian - - - -	3,580	4,634	8,214	228	72	3,539	11,981
Great Indian Peninsula - - - -	2,306	3,438	5,744	239	147	875	6,858
Madras - - - -	1,331	1,689	3,020	—	—	1,171	4,191
Bombay, Baroda, and Central India. - - - -	1,312	820	2,132	89	72	760	2,981
Scinde - - - -	464	445	909	13	3	242	1,164
Punjaub - - - -	472	625	1,097	19	2	—	1,116
Delhi - - - -	302	426	728	33	6	—	761
Indus Flotilla - - - -	92	225	317	—	—	118	435
Eastern Bengal - - - -	295	430	725	33	26	238	996
Great Southern - - - -	164	230	394	23	12	87	504
Calcutta and South-Eastern - - - -	87	242	329	82	—	14	425
Total - - - -	10,405	13,204	23,609	759	340	7,044	31,412

Persons employed
on the open lines.

16. According to returns received from India, the number of persons employed on the open lines on the 30th October last was as follows :—Compared with last year the number of Natives is 35,468 against 32,148, of Europeans 2,344 against 2,181.

Name of Company.	Secretary's or Agent's Department.			Locomotive Department.			Engineers' Department.			Traffic Department.			General Store Department.			Electric Telegraph Department.			Grand Total.			
	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Total.	Europeans and East Indians.	Natives.	Number of Miles open.
East Indian (Bengal Division)	7	25	32	273	2,516	2,789	184	7,408	7,592	106	1,117	1,223	88	199	287	20	337	357	12,280	678	11,602	639½
Do. (North-West Provinces)	11	98	109	263	1,784	2,047	26	1,944	1,970	49	422	471	3	334	337	29	151	180	5,114	381	4,733	
Total - -	18	123	141	536	4,300	4,836	210	9,352	9,562	155	1,539	1,694	91	533	624	49	488	537	17,394	1,059	16,335	—
Eastern Bengal - -	4	9	13	21	33	54	—	—	—	17	181	198	—	—	—	—	—	—	265	42	223	45
Calcutta and South-eastern -	3	15	18	8	23	31	4	53	57	3	49	52	—	—	—	1	12	13	171	19	152	15
Madras - - - -	20	132	152	341	2,278	2,619	51	3,343	3,394	106	917	1,023	19	80	99	8	8	16	5,303	545	4,758	—
Great Southern - -	17	13	30	22	54	76	9	274	283	12	84	96	1	41	42	3	2	5	532	64	468	—
Great Indian Peninsula -	6	119	125	152	2,055	2,207	51	106	157	121	2,135	2,256	15	412	427	—	—	—	5,172	345	4,827	438
Bombay, Baroda, and Central India - - - -	13	42	55	52	227	279	41	4,353	4,394	27	198	225	2	190	192	4	17	21	5,166	139	5,027	167½
Scinde - - - -	6	22	28	27	2,381	2,408	21	131	152	3	187	190	65	443	508	10	13	23	3,509	132	3,677	105
Total - -	87	475	562	1,159	11,851	13,010	387	17,612	17,999	444	5,290	5,734	193	1,939	1,892	5	540	615	33,812	2,345	37,467	—

FINANCIAL POSITION OF THE RAILWAY COMPANIES.

Finance (1).

17. The following statements exhibit, in detail, the financial position of the different Companies :—

In the course of the past year there has been an expenditure of 5,810,852*l.*; that in England having been 1,854,289*l.*, and in India, 3,956,563*l.*

The amount raised by the Companies, in addition to the sum of 2,515,496*l.*, which stood to their credit on the 1st May 1862, was 5,238,567*l.*, so that, on the 1st May instant, there was a balance of 1,943,211*l.* available for the current year's expenditure.

It will be seen that it has been estimated that the expenditure for the year 1863–64 will be 2,012,000*l.* in England, and 4,189,000*l.* in India, and that 5,293,000*l.* will be raised to meet it, in addition to the balance of 1,943,211*l.*

The amount which had been raised on the 30th April 1862—

By share capital was	-	-	-	-	£31,308,641
By debentures	-	-	-	-	11,756,249

Total	-	-	-	-	£43,064,890
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On the 30th April last these amounts stood—

Share capital	-	-	-	-	£36,155,244
Debentures	-	-	-	-	12,062,795

Total	-	-	-	-	£48,218,039
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STATEMENT No. 1.

Showing the Amount raised and expended by each Company during the year 1862-63.

Company.	Amount standing to the Credit of the Company, 30th April 1862.	Amount advanced to Railway Company on 30th April 1862.	Amount raised between 1st May 1862 and 30th April 1863.		In England, between 1st May 1862 and 30th April 1863.	Amount expended.			Total Raised during the Year ended 30th April 1863.	Total Expended during Year ended 30th April 1863.	
			By Shares.	By Debentures.		Date.	In India.				
								Amount.			Estimated Expenditure between dates specified and 30th April 1863.
East Indian -	£ 1,138,837	£ —	£ 572,806	£ —	£ 575,256	28th Feb. 1863	£ 1,119,514	£ 278,000	£ 572,806	£ 1,972,770	
Great Indian Peninsula -	1,216,786	—	727,087	500,000	558,501	"	888,665	180,000	1,227,087	1,627,166	
Madras -	314,473	—	822,835	—	234,590	"	269,348	55,000	822,835	558,938	
Scinde -	—	58,808	17,190	—	35,031	"	84,006	30,000	17,190	149,037	
Indus Flotilla -	50,149	—	150	—	9,475	"	11,851	7,000	150	28,326	
Punjab -	179,761	—	83,056	—	135,841	31st Jan. 1863	162,746	30,000	83,056	328,587	
Delhi -	—	—	1,042,882	—	1,938	"	904	1,000	1,042,882	3,842	
Bombay and Baroda -	—	535,345	1,285,870	60,304	225,316	28th Feb. 1863	456,495	120,000	1,346,174	801,811	
Eastern Bengal -	256,411	—	523	—	53,007	"	138,661	35,000	523	226,668	
Calcutta and South-Eastern -	—	23,663	60,404	—	11,146	"	43,698	10,000	60,404	64,844	
Great Southern -	—	23,105	65,460	—	14,188	"	24,675	10,000	65,460	48,863	
Total -	3,156,417	640,921	4,678,263	560,304	1,854,289	—	3,200,563	756,000	5,238,567	5,810,852	
		Net Balance - £2,515,496									

STATEMENT No. 2.

Estimated Expenditure of Capital by each Company for the Year 1863-64.

Company.	Estimated Expenditure for 1863-64.			Sum standing to the Credit or Debit of the Companies on the 1st May 1863 (partly estimated).	Sums to be raised by Companies.	Total Amount in Home Treasury.	Estimated Balance on the 1st May 1864.
	In England.	In India.	Total.				
East Indian - - - - -	£ 480,000	£ 1,800,000	£ 2,280,000	Dr. 250,000	£ 2,750,000	£ 2,500,000	£ 220,000
Great Indian Peninsula - - - - -	200,000	800,000	1,000,000	820,000	380,000	1,200,000	200,000
Madras - - - - -	550,300	580,000	1,130,000	580,000	700,000	1,280,000	150,000
Scinde - - - - -	50,000	120,000	170,000	Dr. 180,000	360,000	180,000	10,000
Indus Flotilla - - - - -	90,000	7,000	97,000	22,000	100,000	122,000	25,000
Punjab - - - - -	90,000	100,000	190,000	Dr. 65,000	300,000	235,000	45,000
" Delhi - - - - -	300,000	400,000	700,000	1,040,000	—	1,040,000	340,000
Bombay and Baroda - - - - -	230,000	300,000	530,000	10,000	590,000	600,000	70,000
Eastern Bengal - - - - -	8,000	42,000	50,000	30,000	20,000	50,000	—
Calcutta and South-Eastern - - - - -	3,000	25,000	28,000	Dr. 25,000	100,000	75,000	47,000
Great Southern - - - - -	6,000	10,000	16,000	Dr. 6,000	23,000	17,000	1,000
Total - - - - -	2,007,000	4,184,000	6,191,000	Cr. 2,502,000 Dr. 526,000 Net Cr. 1,976,000	5,323,000	7,299,000	1,108,000

STATEMENT No. 3.

Showing the Total Amount of Capital estimated to be required for the Construction of each Undertaking (with a single Line), the Amount raised by each Company, and the Amount expended, up to the 30th April 1863.

Company.	Amount estimated to be required for the Undertaking as now sanctioned.	Amount authorized by Government to be raised.				Amount raised in England to 30th April 1863.				Amount raised in India to Date of last Advices.	Total raised to 30th April 1863.	Total Amount advanced for Expenditure to 30th April 1863 (partly estimated).
		Share Capital.	Debtentures.		Total.	By Shares.	By Debtentures.		Inconvertible.			
			Convertible into Shares.	Inconvertible.			Convertible.	Inconvertible.				
	£	£	£	£	£	£	£	£	£	£	£	£
East Indian	24,750,000	18,594,000	3,156,000	3,000,000	24,750,000	13,651,767	3,156,000	3,000,000	250,530	20,058,297	20,319,421	
Great Indian Peninsula	12,000,000	9,000,000	—	2,000,000	11,000,000	8,298,869	—	2,000,000	367,099	10,665,968	9,849,262	
Madras :	8,500,000	6,000,900	1,665,800	333,300	8,000,000	4,791,883	1,665,800	333,300	—	6,790,983	6,211,713	
Scinde - - -	1,800,000	1,181,300	318,700	—	1,500,000	1,143,805	318,700	—	20,714	1,483,219	1,673,873	
Indus Flotilla - -	400,000	295,000	83,000	—	378,000	249,905	83,000	—	—	302,905	310,933	
Punjab - - -	2,500,000	1,500,000	—	—	1,500,000	1,366,355	—	—	8,109	1,374,464	1,440,236	
” Delhi - - -	3,000,000	2,500,000	—	—	2,500,000	1,040,740	—	—	2,142	1,042,802	3,842	
Bombay, Baroda, and Central India	4,500,000	3,650,000	850,000	—	4,500,000	3,147,664	849,995	—	21,662	4,019,321	4,010,064	
Eastern Bengal - -	1,500,000	1,000,000	400,000	—	1,400,000	990,745	400,000	—	9,255	1,400,000	1,369,734	
Calcutta and South-Eastern	500,000	310,000	90,000	—	400,000	290,377	90,000	—	19,623	400,000	428,104	
Great Southern - -	660,000	484,000	166,000	—	650,000	482,780	166,000	—	1,220	650,000	656,507	
Total - - -	60,110,000	44,515,200	6,729,500	5,333,300	56,578,000	35,454,890	6,729,495	5,333,300	700,354	48,218,039	46,273,689	

18. Works have been sanctioned which, it is estimated, will cost about 60,000,000*l.*, 48,303,437*l.* of which has been raised, and 46,488,989*l.* expended. A sum of 13,511,011*l.* thus remains to be raised and expended, which may be distributed over the following years, in proportions specified below :—

1863-64 -	-	£6,000,000	1866-67 -	-	£1,250,000
1864-65 -	-	3,000,000	1867-68 -	-	750,000
1865-66 [-	-	2,000,000	1868-69 -	-	500,000

19. The subjoined table gives the amount which has been annually expended since the commencement of operations in 1850, and the length opened in each year. It is hardly necessary to say that the annual expenditure applies not only to the lines completed in each year, but to the works in progress.

Year.	Miles opened during the Year.	Expended in England.	Expended in India.	Total.
		£	£	£
Up to 1850 -	—	130,375	44,781	175,156
In 1851 -	—	154,212	197,111	351,323
„ 1852 -	—	174,920	252,640	427,560
„ 1853 -	22 $\frac{1}{4}$	252,484	418,165	670,649
„ 1854 -	50 $\frac{1}{4}$	960,878	768,710	1,729,588
„ 1855 -	98 $\frac{1}{4}$	1,939,101	1,431,904	3,571,005
„ 1856 -	101 $\frac{3}{4}$	1,752,813	1,765,094	3,517,907
„ 1857 -	143	1,324,873	2,092,395	3,417,268
„ 1858 -	145	1,940,052	3,551,073	5,491,125
„ 1859 -	74 $\frac{1}{2}$	2,507,949	4,654,923	7,162,872
„ 1860 -	208	2,396,924	5,192,846	7,589,770
„ 1861 -	759	1,596,010	4,962,604	6,558,614
„ 1862 -	747	1,854,289	3,956,563*	5,810,852
Total -		16,984,880	29,288,809	46,273,689

* Partly estimated.

20. It will be observed, that the annual expenditure, both in this country and in India, is beginning to diminish. This is an indication of the approaching completion of the system of trunk lines which was sanctioned with guaranteed capital. Last year's expenditure has not, however, been so large as was expected, and the extent of line opened has consequently been less.

21. The manner in which the greater portion of the expenditure given in the last table has been divided may be gathered from the subjoined statement :—

STATEMENT showing the Amount expended under the respective heads of—

Railway.	Works and Bridges, &c.		Permanent Way and Stations.	Freight and Insurance.	Rolling Stock.	Establishments.	Miscellaneous, including Electric Telegraph, Stores, &c.
	£	£	£	£	£	£	£
East Indian -	5,888,339		4,389,821	*2,049,818	2,271,251	3,010,768†	1,580,969
Great Indian Peninsula -	3,991,037		1,945,651	{ Included in value of Articles. }	860,351	667,630†	93,340
Madras -	1,568,474	—	1,634,248	—	322,089	417,982	342,072
Bombay and Baroda -	705,975	555,676	621,151	364,092	295,833	245,650	341,922
Scinde -	515,145	53,917	319,040	127,432	127,602	47,691	277,817
Punjab -	47,625	8,020	463,884	261,111	204,297	32,435	106,924
Steamers and Barges.							
Indus Flotilla -	23,996	—	176,638	8,916		10,563	41,253
Eastern Bengal -	955,425		137,230			131,315	58,193
	(Including Freight and Insurance, Rolling Stock.)						
Calcutta and South Eastern	84,415		61,450	35,336	37,624	45,908	16,160
Great Southern -	146,550	55,906	155,114	93,355	49,571	65,920	25,001

* This is exclusive of the cost of the Steamers for conveying the materials up country, which cost about 600,000*l.*

† Including Engineering Staff and Surveying Expenses.

22. It must be remarked that, while the amounts above given represent the expenditure incurred by the Railway Companies, they do not show the whole of the actual cost of the lines. The Companies have expended about 46,500,000*l.*,—17,000,000*l.* in England, and 29,500,000*l.* in India. To this sum must be added, first, the value of the land, which is purchased by the Government and given to the Railway Companies, and secondly, an amount equivalent to 2*d.* on every rupee advanced, during the last few years, by the Government in India for expenditure in that country. It will be remembered that the money raised by the Railway Companies is paid into the Government Treasury in England, and such portion of it as is not required for their own purposes is available for the Home expenditure of the Indian Government, thus obviating the necessity of remittances to this extent from India. On the other hand, the funds necessary for the execution of the works in India are provided out of the Government Treasuries there. When the contracts were made, the rate of exchange for the rupee was 1*s.* 10*d.*, and it was stipulated in all the contracts that the rupee should, in the accounts between the Government and the Companies, be converted into sterling at that rate. For every 1*s.* 10*d.* received by the Government into the Home Treasury, they have therefore advanced one rupee in India. At the commencement of operations, the value of the rupee being 1*s.* 10*d.*, there was no loss or gain on either side, but when the value of the rupee rose to 2*s.*, the Government spent in India the equivalent of 2*s.* for every 1*s.* 10*d.* they appropriated to Home expenditure in England. The sum expended in this shape may be taken at 2,400,000*l.* Through the operation of the contract, this may perhaps be ultimately recovered; for, when the receipts of the railways in India (which are paid every half year into the Government Treasuries) are remitted to this country in payment of dividends, the Government will account to the Companies in England only for 1*s.* 10*d.* in respect of each rupee received in India, and thus, if the rate of 2*s.* continues, and the receipts of the railways are sufficient to pay 5 per cent. interest on the capital advanced, the Government, in the course of time, will recover great part of this sum. In the meantime, it constitutes an annual charge on the revenues of India, and is in fact a contribution on the part of Government towards the construction of the railways.

Contributions by Government towards the construction of the lines, beyond the Guarantee.

23. The total amount expended by Government in the purchase of land for the railways cannot be given, in the absence of the requisite information from India, but, as regards portions where the cost has been ascertained, it amounts to an average of about 300*l.* per mile, or in all, including sites for stations, about 1,500,000*l.*

24. The expenditure on rolling stock is represented by the following locomotive engines and vehicles now on the lines, or on their way thither.

	Miles open.	Engines.	Carriages.	Trucks and Waggon, &c.	Total Number of Vehicles.
East Indian (Bengal) - - - - -	972 $\frac{1}{4}$	138	378	2,449	3,495
„ (North-West Provinces) - - - - -	557 $\frac{1}{4}$	46	102	566	2,648
Great Indian Peninsula - - - - -	448 $\frac{3}{4}$	83	270	2,378	1,547
Madras - - - - -	185 $\frac{1}{2}$	62	135	1,412	2,034
Bombay and Baroda - - - - -	114	43	234	1,800	352
Scinde - - - - -	32	20	45	307	127
Punjab - - - - -	110	5	22	105	472
Eastern Bengal - - - - -	79	20	102	370	186
Great Southern - - - - -	29	9	32	154	199
Calcutta and South-Eastern - - - - -	29	6	42	157	
Total - - - - -	2,527 $\frac{3}{4}$	432	1,362	9,698	11,060

The following remarks relate to each undertaking separately, and to the traffic on each open line.

EAST INDIAN RAILWAY.

25. The whole of the Bengal division of this great line, viz., between Calcutta and Benares, a distance (including branches) of 609 miles, is now open. East Indian.

In the North-West division 280 miles are open, leaving a further length of from 230 to 240 miles to complete the line to Delhi. It is expected that this portion

will be finished, with the exception of the Jumna bridge at Allahabad, in the course of the present year.

The Jubbulpore branch, just commenced, will not be completed for three years at least.

26. The Governor General, Lord Elgin, travelled by railway to Benares on his recent journey from Calcutta to the North-West Provinces, and, in a paper dated the 7th February 1863, thus describes his impressions upon the undertaking :—

“ The distance from Calcutta by rail to Benares is 541 miles. Work was begun in 1851. The line to Burdwan was opened in February 1855; to the Adjai in October 1858; to Rajmahal in October 1859; to Bhagulpore in 1861; to Monghyr in February 1862; and to Benares in December 1863. In ten years, therefore, have been opened (including branches) a continuous length of 601 miles, being at the rate of 60 miles a year. This is exclusive of the portion of the line already finished between Allahabad and Agra in the North-Western Provinces, and of the section from Agra to Allyghur, which it is expected will be ready in a few weeks. Including this length, the progress of the East Indian Railway has not been short of 90 miles a year, a rate which, if it has not come up to the expectations first entertained, is, under all the circumstances of the case, satisfactory as regards the past, and encouraging as regards the future.

“ 3. On his journey from Calcutta to Benares, His Excellency observed, with much interest, the numerous striking works that have been so successfully constructed on this railway by the Company's engineers, and viewed with particular admiration the great girder bridge over the Soane, which, it is believed, is exceeded in magnitude by only one bridge in the world. The smaller girder bridges over the Keeul and Hulohur, the heavy flood arching in the vicinity of these rivers, the masonry bridges over the Adjai and More, and the Monghyr tunnel also attracted the attention of His Excellency the Viceroy, as works of more than ordinary difficulty, designed and carried out with signal ability.

“ 4. His Excellency the Governor General gladly accepts this opportunity of acknowledging the services rendered by the officers of the Railway Company in the prosecution of this great work, and of expressing more especially the strong sense he entertains of the high engineering skill and the steady devotion to his duties exhibited by Mr. George Turnbull, the Chief Engineer of the Company in Bengal, who in a few days will give up the direction of the works which he has now seen completed. Although not in the immediate employment of the Government, Mr. Turnbull has, in the opinion of His Excellency, well earned the expression of the thanks of the Governor General for his professional services, which have, indeed, been rendered as much to the public as to the Railway Company. In all Mr. Turnbull's dealings with the Officers of the Government he has invariably shown that moderation and desire to conciliate which were essential to the harmonious and successful carrying on of the railway works, under the peculiar conditions imposed by the terms of the Government guarantee; and the Governor General has much satisfaction in signifying on behalf of the Government of India his high estimation of the manner in which all Mr. Turnbull's relations with the Government have been conducted.

“ 5. His Excellency the Viceroy will not fail to bring to the favourable notice of Her Majesty's Government the long and excellent services of Mr. Turnbull, who, having been the first railway engineer employed in India, has now happily seen the portion of this great work on which he was more particularly engaged brought to a close, after many years of arduous and persevering labour, under circumstances of unusual difficulty, with the most complete satisfaction to his employers and to the Government, and with the highest credit to himself.”

27. It may be mentioned, as a curious fact, that the quickest journey ever performed between Benares and London was by Mr. Turnbull, who left the former place on the 8th February, arrived at Calcutta on the 9th, left Calcutta the same day, and reached London on the 15th March, occupying but 36 days in all.

28. The following traffic returns for the year ending the 30th June 1862, apply only to 610 miles. It will be observed that the traffic has increased in all its branches. The mileage receipts cannot be expected to remain at the same amount while extensions are rapidly being opened, but it is satisfying to know that they are gradually recovering their former position. The striking feature in the passenger traffic is the great preponderance of third class travellers which still continues.

STATEMENT No. I.

COMPARATIVE STATEMENT, showing the Amount of Receipts from Passengers and Goods, the Working Expenses, and the Net Profits, during the Years ending 30th June 1859, 1860, 1861, and 1862.

BENGAL DIVISION.

Period.	Mean Number of Miles open.	Receipts from Conveyance of			Total Receipts.	Working Expenses.			Net Profits.
		Passengers.	Merchandise.	Miscellaneous.		Working.	Maintenance.	Total.	
		£	£	£	£	£	£	£	£
Half-year ending 31st December 1861 -	273½	64,896	102,661	7,117	174,674	60,842	31,666	92,508	82,166
Ditto, 30th June 1862 -	348½	83,211	127,641	7,920	218,772	68,227	37,925	106,152	112,620
Year ending 30th June 1862 - - -	311	148,107	230,302	15,037	393,446	129,069	69,595	198,660	194,786
Ditto, 1861 - - -	217	116,371	{ 85,504 81,192 }	13,436	297,533	112,525	30,869	143,394	153,139
Ditto, 1860 - - -	166	98,809	133,334	Railway Materials. 16,371	239,516	—	—	106,265	133,251
Ditto, 1859 - - -	166	73,947	92,517	21,525	192,836	—	—	96,184	96,651

NORTH-WEST PROVINCES DIVISION.

Period.	Number of Miles open.	Receipts from Conveyance of			Total Receipts.	Working Expenses.			Net Profits.
		Passengers.	Merchandise.	Miscellaneous.		Working.	Maintenance.	Total.	
		£	£	£	£	£	£	£	£
Half-year ending 31st December 1861 -	218½	27,953	48,563	2 806	79,323	17,073	12,305	29,379	49,944
Ditto, 30th June 1862 -	262	34,315	44,294	1,828	80,437	27,019	17,148	44,167	36,270
Year ending 30th June 1862 - - -	245½	62,268	92,857	4,634	159,759	44,092	29,453	73,545	86,214
Ditto, 1861 - - -	123	38,623	68,479	3,839	110,941	—	—	49,501	61,441
Ditto, 1860 - - -		28,837	41,541	8,915	79,293	—	—	40,371	38,922

STATEMENT No. II.

COMPARATIVE STATEMENT showing the proportion of Working Expenses to Gross Receipts, and the proportion per cent. of Receipts from Passengers and Goods.

BENGAL DIVISION.

Period.	Percentage of Working Expenses to Gross Receipts.	Proportion per cent. of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1859	45·04	35·9	64·
" " 1860	44·36	37·4	62·5
" " 1861	48·35	39·3	60·7
" " 1862	50·49	39·63	60·37

NORTH-WEST PROVINCES DIVISION.

Period.	Percentage of Working Expenses to Gross Receipts.	Proportion per cent. of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1860	50·91	36·1	63·9
" " 1861	44·61	34·8	65·2
" " 1862	46·03	36·13	63·87

STATEMENT No. III.

COMPARATIVE STATEMENT showing the Number of Passengers conveyed during the Years ending 30th June 1859, 1860, 1861, and 1862.

BENGAL DIVISION.

Period.	Number of Miles open.	Number of Passengers.			Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	
Year ending 30th June 1859 -	166	15,106	57,309	1,199,517	1,271,932
" " 1860 -	166	17,334	69,693	1,440,740	1,527,567
" " 1861 -	217	19,403	69,583	1,561,461	1,650,447
" " 1862 -	Average. 311	22,420	76,421	1,838,259	1,937,100

NORTH-WEST PROVINCES DIVISION.

Period.	Number of Miles open.	Number of Passengers.			Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	
Year ending 30th June 1860 -	123	2,979	7,433	196,344	206,756
" " 1861 -	—	2,856	4,872	219,078	226,811
" " 1862 -	Average. 245	3,874	7,079	331,982	342,935

STATEMENT No. IV.

COMPARATIVE STATEMENT showing the Total Number of Passengers conveyed per Mile, and the Total Number per Mile of each Class.

BENGAL DIVISION.

Period.	Total Number of Passengers conveyed per Mile.	Total Number conveyed per Mile in		
		1st Class.	2d Class.	3d Class.
1859	9,661	106·3	403·5	9,151·5
1860	9,203	104·4	419·8	8,679·1
1861	7,605	89·2	320·7	7,195·1
1862	6,228	72·	245·7	5,910·8

NORTH-WEST PROVINCES DIVISION.

Period.	Total Number of Passengers conveyed per Mile.	Total Number conveyed per Mile in		
		1st Class.	2d Class.	3d Class.
1860	1,680·9	24·2	60·4	1,506·2
1861	1,844·	23·3	39·6	1,781·1
1862	1,399·	15·8	28·9	1,355·

GREAT INDIAN PENINSULA.

29. A length of $57\frac{1}{4}$ miles was added to this line during the past year, and 63 more since the 31st December last, making a total distance of $557\frac{1}{4}$ miles available for public traffic. By opening the last section to Mulkapoor, the line is brought into immediate connexion with the great cotton district of Central India, which is soon

to be traversed by the rail. Other sections will, it is expected, be opened as follows:—

	Miles.	Date.
Thull Ghât Incline - - -	9 $\frac{1}{4}$	May 1864.
Nagpore Branch:		
Mulkaipoor to Sheagaum - -	32	November 1863.
Sheagaum to Oomrawuttee - -	72 $\frac{1}{2}$	May 1864.
Oomrawuttee to Nagpore - -	120	June 1864.
Jubbulpore Line:		
Bhosawul to Hurdah - - -	138 $\frac{3}{4}$	September 1864.
Hurdah to Sohagpore - - -	80	" "
Sohagpore to Jubbulpore - -	116	" "

30. A most important addition made since the beginning of this year has been already referred to (at page 3), viz., the Bhoze Ghât Incline, the completion of which will put an end to the interruption of the through traffic on the South-Eastern line, and to the great expense of working that section by means of carts and bullocks. These have been quite inadequate to carry to the Railway the large quantities of cotton which were brought for conveyance to Bombay, and which have consequently accumulated at the head of the Ghât. It will be interesting to watch the effect of the opening of this section upon the traffic, which, during the past year, has shown a steady increase, notwithstanding the drawbacks to which it has hitherto been subject. It is satisfactory to know that, previously to the opening of the Bhoze Ghât Incline, a considerable reduction has been effected in the working expenses, and that there is now fair ground for expecting that this reduction will continue. The improvement, however, is hardly perceptible in the following returns, which are not brought up beyond the 30th June last.

STATEMENT No. I.

Traffic.

STATEMENT showing the Amount of Receipts from Passengers and Goods, and of Working Expenses, during the Years ending 30th June 1859, 1860, 1861, and 1862.

Period.	Number of Miles open.	Receipts.			Working Expenses.			Net Receipts.
		Passengers.	Goods.	Total.	Working.	Maintenance.	Total.	
		£	£	£	£	£	£	£
Half-year ending 31st December 1861 - - -	437 $\frac{3}{4}$	59,583	52,531	112,114	59,993	28,984	88,977	23,137
Half-year ending 30th June 1862 - - -	—	63,560	103,584	167,144	68,477	35,236	103,713	63,430
Year ending 30th June 1862	437 $\frac{3}{4}$	123,143	156,115	279,258	128,470	64,220	192,690	86,567
" " 1861	Average. 320	105,607	123,182	228,689	135,042	23,869	158,911	69,779
" " 1860	279	72,747	81,267 27,663	181,677	—	—	106,796	74,881
" " 1859	194	60,785	57,079 29,567	147,431	—	—	65,491	82,940

STATEMENT No. II.

STATEMENT showing the Proportion of Working Expenses to Gross Receipts, and the Proportion of Receipts from Passengers and Goods.

Period.	Proportion per cent. of Working Expenses to Gross Receipts.	Proportion of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1859	44·1	41·7	58·3
" " 1860	58·7	40·4	60·6
" " 1861	69·5	46·2	53·8
" " 1862	68·7	44·1	55·9

STATEMENT No. III.

STATEMENT showing the Number of Passengers conveyed during the Years ending 30th June, 1859, 1860, 1861, and 1862.

Period.	Number of Miles open.	Number of Passengers.				Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	4th Class.	
Year ending 30th June 1859	194	12,938	107,919	1,040,644		1,161,501
" " 1860	279	11,133	166,740	1,116,947		1,294,820
" " 1861	320	20,121	183,522	855,126	955,172	2,013,942
" " 1862	Mean, 416	22,448	147,883	1,996,673	342,958½ Discontinued in Oct. 1861.	2,509,962½

STATEMENT No. IV.

STATEMENT showing the Number of Passengers conveyed per Mile, and the Number per Mile in each Class.

Period.	Total Number of Passengers conveyed per Mile.	Number conveyed per Mile in each Class.			
		1st Class.	2d Class.	3d Class.	4th Class.
Year ending 30th June 1859	5,987	67	556	5,364	—
" " 1860	4,359	37	560	3,761	—
" " 1861	6,293	62	573	2,672	2,984
" " 1862	3,389	54	355	4,810	824

MADRAS RAILWAY.

Madras.

31. The whole of the South-West division of this line, 406 miles in length, from Madras to Beypore, was opened for traffic in May 1862. The Bangalore branch approaches completion, and will, it is expected, be ready for traffic by the beginning of next year. On the North-West line, 14 miles have been added to the extent (27 miles) previously opened, and the line to Cuddapah will probably be completed by the end of this year.

It will be seen that the traffic is still small, although increasing. The gross receipts for the two half-years ending the 31st December 1861, and 30th June 1862, exceeding those of the corresponding periods in the previous year by 19,531% and 20,629% respectively; but the net profits are reduced by an extraordinary charge, under the head of maintenance of way, for replacing worn-out wooden sleepers with iron ones.

The raising of the fares from two to three pies per mile for third class passengers is said to have produced successful results; for although the numbers are rather less, the receipts are more.

For the first time, the receipts from the conveyance of goods have exceeded the receipts from passengers.

STATEMENT No. I.

Showing the Amount of Receipts from Passengers, Goods, &c., and of Working Expenses, during the Years ending 30th June 1859, 1860, 1861, and 1862.

Period.	No. of Miles open.	Receipts.			Working Expenses.			Net Receipts.
		Pas- sengers.	Goods, &c.	Total.	Working.	Main- tenance.	Total.	
December 1861 - -		£ 26,264	£ 30,222	£ 56,486	£ 26,907	£ 12,076	£ 38,983	£ 17,503
June 30th, 1862 - -		34,660	32,629	67,289	30,197	22,415	52,612	14,677
Year ending 30th June 1862	Mean	60,924	62,851	123,775	57,104	34,491	91,595	32,180
" " 1861	221	45,755	37,923	83,678	43,190	19,742	63,932	19,746
" " 1860	137	37,059	30,376	67,435	29,342	12,191	41,533	25,905
" " 1859	96	25,303	20,240	45,543	17,959	12,197	30,156	15,387

STATEMENT No. II.

Showing the Proportion of Working Expenses to Gross Receipts, and the Proportion of Receipts from Passengers and Goods.

Period.	Proportion per Cent. of Working Expenses to Gross Receipts.	Proportion of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1859	66·1	55·5	44·5
" " 1860	61·2	54·9	45·1
" " 1861	78·0	54·6	45·4
" " 1862	74·7	49·2	50·8

STATEMENT No. III.

Showing the Number of Passengers conveyed during the Years ending 30th June 1859, 1860, 1861, and 1862.

Period.	Number of Miles open.	Number of Passengers.			Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	
Year ending 30th June 1859	96	929	11,598	276,422	288,949
" " 1860	137	2,346	10,346	795,289	807,981
" " 1861	221	2,774	10,428	969,287	982,489
" " 1862	282	8,626	47,695	1,025,218	1,081,539

STATEMENT No. IV.

Showing the Number of Passengers conveyed per Mile, and the Number per Mile in each Class.

Period.	Number of Passengers conveyed per Mile.	Number conveyed per Mile.		
		1st Class.	2d Class.	3d Class.
Year ending 30th June 1859	3,069·7	9	180	2,879
" " 1860	6,535·2	17	77	5,805
" " 1861	4,445·6	13	46	4,385
" " 1862	3,835·	30	169	3,635

BOMBAY AND BARODA.

32. Of the 310 miles of Railway undertaken by this Company, 185 are now open for traffic, extending from the Par River, 125 miles north of Bombay, to the northern terminus at Ahmedabad. The southern section of the line, which will take it into Bombay, still remains to be finished. This important link will, it is expected, be completed in the course of the present year. Until then the traffic is carried on under great disadvantages, but the returns already contain evidence of the large amount that will probably come on the line. The Chairman of the Company, Colonel P. T. French, has lately returned from Bombay, and, after frequent visits to all parts of the line, is very favourably impressed with its capabilities and prospects. Colonel Kennedy, the Consulting Engineer to the Company, has recently proceeded to Bombay to superintend the completion of the line.

Bombay and
Baroda.

The number of passengers conveyed during the year ending the 30th June last, was as follows, viz. :—

—			Half-Year ending 31st December 1861.	Half-Year ending 30th June 1862.	Total.
1st Class -	-	-	1,026	1,037	2,063
2d Class -	-	-	5,264	5,716	10,980
3d Class -	-	-	420,237	418,048	838,285
			426,527	424,801	851,328

The following Statement shows the receipts from passengers and goods and the expenses of working, &c., for the years ending 30th June 1861 and 1862 :—

Period.	Number of Miles.	Receipts.			Expenses.			Net Receipts.
		Passengers.	Goods and Railway Materials.	Total.	Working.	Mainte- nance.	Total.	
	Average worked.	£	£	£	£	£	£	£
Half-year ending Decem- ber 1861 - - -	127	16,633	5,092	21,725	10,021	966	10,987	10,738
Half-year ending June 1862	132	17,709	7,499	25,208	12,306	2,862	15,168	10,040
Year ending June 1862 -	—	34,342	12,591	46,933	22,327	3,828	26,155	20,778
" " 1861 -	60	15,712	3,331	19,043	11,782			7,261

SCINDE RAILWAY.

Scinde.

33. This line has now been opened for traffic nearly two years. Since it has been properly equipped with rolling stock, the traffic has been increasing in a satisfactory manner. The trade returns furnish strong proof of the benefits which the railway is conferring upon Scinde and the adjacent provinces. Prior to 1862, no cotton was seen on the Indus. Now, great quantities, as well as other products, such as indigo and grain, wool, &c., are conveyed by the steamers and by the railway. The unprecedented floods in June last damaged the earthworks and some of the culverts on a portion of the line so much, that the traffic was stopped, but in the course of nine days the necessary repairs were completed, and business was resumed.

34. It will be seen by the following traffic returns that the net receipts for the year ending 30th June 1862, amounted to 5,442£, and that, with the exception of about 100£, the whole was earned during the second half-year. This was in a great measure caused by the inadequate supply of rolling stock when the line was opened. The traffic has hitherto increased in proportion to the number of waggons. More are required and are being provided. The working expenses will, it is hoped, then be reduced. In the latter half-year given below, they were 75 per cent. of the gross receipts :—

Period.	Miles open.	Receipts.			Expenses.	Net Receipts.
		Passengers.	Goods, &c.	Total.	Working and Maintenance.	
Year ending 31st December 1861	114	£ 4,509	£ 10,528	£ 15,037	£ 14,933	£ 104
" " 30th June 1862 -	114	5,536	19,500	25,036	19,698	5,338
Total - - - -	- -	10,045	30,028	40,073	34,631	5,442

Since June last the traffic has improved still more, and it is expected that the net receipts for the half-year ending 31st December last, will be nearly double that for the whole of the previous year.

The number of passengers conveyed during the year ending 30th June 1862 was as follows :—

		Half-Year ending 31st December 1861.	Half-Year ending 30th June 1862.	Total.
1st Class	- - -	223	268	491
2d Class	- - -	2,459	2,686	5,145
3d Class	- - -	38,047	46,526	84,573
		40,729	49,480	90,209

PUNJAB RAILWAY.

35. The section of the Punjab Railway between Lahore and Umritsir, 32 miles in length, was opened in April. The traffic has been confined principally to passengers, of whom more than a quarter of a million had been carried between April and December, of which 121,707 $\frac{1}{2}$ were conveyed before the 30th June, viz. :—

First class	-	-	-	287 $\frac{1}{2}$
Second class	-	-	-	546
Third class	-	-	-	120,874
Total	-	-	-	121,707 $\frac{1}{2}$

The goods traffic, which did not commence till late in the year, is inconsiderable. It can hardly be expected to be otherwise until the line is completed to Mooltan. This will probably be the case before the end of the present year.

INDUS FLOTILLA.

36. This flotilla now consists of 7 passenger steamers and 11 accommodation and other barges, which keep up a bi-monthly communication between Kotree and Mooltan. Five of these steamers and barges were purchased from the Government, together with workshops, &c. There has been lamentable delay in completing the boats originally contracted for, and all the proceedings connected with that contract have been unsatisfactory. Several boats, which should have been afloat more than a year ago, are not yet launched, and the two boats which have been taken over by the Company from the contractors, do not attain the speed expected. While, however, failure has hitherto attended the formation of the fleet, fault is not to be found with the management of that portion which has been completed; but, even when all the boats are finished and well equipped, it may be doubted, looking to the rapidly increasing trade, and to the difficulties of navigating the river in the dry season, whether this means of conveyance can ever be adequate for the great traffic which will be created between the termini of the two railways.

EASTERN BENGAL RAILWAY.

37. This line, 110 miles in length, was opened throughout in November last, a portion having been previously opened in September. The works, which, from all accounts, have been completed in a very substantial and satisfactory manner, were commenced in April 1859, so that the line has been about three years and a half in course of construction. A proposition is now under consideration for extending this line, as originally intended, towards Dacca.

38. The traffic has been steadily improving since the first opening, and the weekly receipts now average upwards of 14 $\frac{1}{2}$ per mile. During the eleven weeks between the 11th October and the 31st December last, 98,025 passengers were conveyed, being,—

4,178 first class.
5,094 second class.
88,953 third class.

CALCUTTA AND SOUTH-EASTERN RAILWAY.

Calcutta and
South-Eastern.

39. This line (with the exception of the Piallee bridge) was completed and opened for traffic in March last, 15 miles having been previously opened early in 1862. Its opening had been delayed by an accident on the Piallee bridge, which impeded the progress of that work. The traffic was not commenced under advantageous circumstances, having been checked by the want of proper access to the stations, by the break at the Piallee bridge, and by the terminus being at present in a new and unpopulous district. All these impediments will, however, be gradually removed. The cost of the line has also been more than was expected, partly in consequence of the great increase in the price of labour since it was commenced, and partly by the great outlay involved in crossing the Piallee river by the plan adopted. Not only had the old river bed to be filled up, but a new channel had to be cut, and a bridge thrown over it. It was some time before the subsidence of the embankment ceased; but, by the last accounts, it had become sufficiently solid to admit of the rails being laid, and of trains being run over it.

40. It has been proposed to construct, with unguaranteed capital, a branch line to connect the present railway with the granaries and populous districts lying to the south of it. Such a line would greatly augment the traffic on the main line.

The number of passengers conveyed since the opening to the 31st December 1862, was,—

First class	-	-	-	-	687
Second class	-	-	-	-	2,513
Third class	-	-	-	-	82,590
Total					<u>85,790</u>

GREAT SOUTHERN OF INDIA RAILWAY.

Great Southern.

41. This railway has been working steadily and without accident during the year. The traffic is slow in being developed, but the increase, while small, is gradual, and the cost of working the line has been brought down to the proportion of 44 per cent. of the gross revenue. This is exclusive, however, of the charge for maintenance.

The principal goods traffic is in salt and grain. The passengers conveyed during the year ending 30th June 1862 were as follows:—

First class	-	-	-	-	1,608
Second class	-	-	-	-	4,071
Third class	:	-	-	-	211,191
Total					<u>216,870</u>

42. The following Table shows the receipts and expenses for the half-years ending 31st December 1861, and 30th June 1862, respectively:—

Period.	Receipts.			Expenditure.	Net Receipts.	Per centage of Working Expenses to Revenue.
	Passengers.	Goods, &c.	Total.	Working and Maintenance.		
	£	£	£	£	£	
Half-year ending 31st December 1861 - - - -	1,755	1,716	3,471	1,647	1,824	47·44
Half-year ending 30th June 1862 - - - -	6,288	3,440	9,728	4,323	5,405	44·45
Year ending 30th June 1862 - - - -	8,043	5,156	13,199	5,970	7,229	45·23

THE GENERAL WORKING OF THE LINES.

General Traffic.

43. The general position and progress of the traffic will be seen in one view in Colonel Baker's interesting diagrams appended to this report.

44. The net receipts from all the open lines for the year ending 30th June 1862 were about 434,000*l.*, against 311,367*l.* of the previous year.

45. The numbers of passengers conveyed in the same periods were 6,484,338 and 4,912,955, respectively.

46. The traffic has, upon the whole, been conducted with regularity and safety. The absence of the usual returns from India prevents me from giving a list of the accidents that have happened, but I am not aware of any that have proved fatal to passengers. Fire has, in some instances, destroyed goods, while in transit, to a considerable extent. The propriety of establishing a fund to cover such risks is now under the consideration of the different Boards.

47. The present changeable condition of the lines makes it very difficult to draw any satisfactory conclusions, as to their real value. While some are partially finished, and extending in length every few months, while others are finished, but are without access to the stations, and while it is uncertain what will be the cost of the permanent establishments, and what the expenses of maintenance, it is impossible to estimate, with any degree of accuracy, their remunerative powers. In his last Report on the Bengal division of the East Indian Railway, Mr. Power, the present Chief Engineer, remarks, "the system here adopted of opening a part of the line so soon as the safe passage of a train is practicable, but before the station buildings, permanent watering arrangements, and other essentials to the convenient and economical working of a line are completed, is attended by the all important advantages of rendering the communications of the country easy and the property of the Railway Company reproductive, at a much earlier period than would otherwise be the case; but it has the disadvantages of slightly increasing the cost, and greatly retarding the period of final completion. It also adds much to the difficulty of managing the traffic, and it reverses the usual order of events as regards the cost of maintenance, rendering it more expensive in the earlier than in the latter stages of the working of the line."

48. It may here be mentioned, in connexion with the question of maintenance of Sleepers. way, that, as with ships in Europe, so with railways in India is the relative value for sleepers of iron and wood, and of the two combined, being tested. On several lines the wood which has been used has rapidly decayed, and it has been found expedient to try iron as a substitute. By some people the use of iron sleepers is objected to, as producing an injurious effect upon the locomotives and rolling stock. This apprehension, however, has not been borne out by the experience hitherto gained in India. A sufficient number of iron sleepers for 755 miles has been sent out by the following companies, after obtaining the opinions of their Consulting Engineers, who expect a great saving in the cost of maintenance :—

Railway Company.	No. of Miles.	Consulting Engineers.
East Indian - - -	97	A. M. Rendel, Esq.
Great Indian Peninsula - -	132	G. Berkeley, Esq.
Madras - - -	401	J. Hawkshaw, Esq.
Punjab - - -	125	G. P. Bidder, Esq.

49. The necessity for substituting iron may, to some extent, be attributed to the high price of wood in India as well as to its tendency to decay. The high price has caused surprise; but it is owing to the difficulty and expense of conveying the timber, when hewn, to its destination, and to the absence of any competition among those who are accustomed to the business. It has, under these circumstances, been found cheaper to send out from this country creosoted sleepers, made of Baltic timber, than to use those made of indigenous wood. It is satisfactory to learn that this state of things may soon be altered, as measures have lately been taken by the Government of India for organizing a new system of administration for the management and conservation of forests, with the view of making their produce available for the railways and other public works of the country.

50. The following statement shows that the amount which had been paid to the several Companies for guaranteed interest up to the 31st December 1862 was 8,269,190*l*. This sum is subject to a deduction of about 1,600,000*l*. which the Government had received from the earnings of the railways, leaving a debt of about 6,650,000*l*. against the Companies. Guaranteed interest.

51. The annual amount that will be due from the Government for guaranteed interest, when the lines are finished, may be taken at 3,000,000*l.*; but the profits per mile per week of the lines are now rapidly increasing. A considerable portion of the above sum will consequently be met by the payments into the Government treasuries in India. The liability of Government will thus diminish annually, until at last Government will be altogether relieved from it.

52. The amount of gross mileage receipts which should be earned by the Companies to relieve the Government from the payment of guaranteed interest varies, of course, with the cost of constructing and of maintaining and working each mile; but, taking the aggregate amount of capital to be expended upon 4,600 miles to be 60,000,000*l.*, the gross receipts necessary to earn the guaranteed interest, supposing that 50 per cent. is sufficient for maintenance and working, would be 6,000,000*l.* a year, or about 1,300*l.* a mile a year, or 25*l.* per mile per week. Take, for example, the East Indian and the Great Indian Peninsula lines. The gross receipts of the East Indian, when the line is completed, should be about 36*l.*, of the Great Indian Peninsula about 25*l.* per mile per week, to yield 5 per cent. They are now both earning upwards of 22*l.*, and are gradually increasing their receipts every month.

STATEMENT, showing the Amount that has been paid to the several Railway Companies for Guaranteed Interest up to the 31st December 1862.

Company.	Interest paid up to 31st December 1861.	Interest paid during 1862.						Total Amount paid to end of 1862.
		England.		India.		Total.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
East Indian - - -	3,285,587 18 0	918,462 6 6	9,093 1 9	927,555 8 3	4,213,143 6 3			
Great Indian Peninsula	1,363,263 13 5	401,891 3 10	18,060 13 4	419,951 17 2	1,783,215 10 7			
Madras - - -	894,204 6 4	262,893 17 10	—	262,893 17 10	1,157,098 4 2			
Scinde - - -	194,994 6 6	68,928 7 2	1,035 15 0	69,964 2 2	264,958 8 8			
Punjaub - - -	100,459 11 11	61,454 10 3	331 18 11	61,786 9 2	162,246 1 1			
Indus Flotilla - - -	35,511 5 1	15,928 8 0	—	15,928 8 0	51,439 13 1			
Bombay and Baroda -	285,944 8 1	117,337 3 1	1,082 16 5	118,419 19 6	404,364 7 7			
Eastern Bengal - -	75,727 14 9	61,696 1 9	356 13 6	62,052 15 3	137,780 10 0			
Calcutta and South- Eastern - - -	20,643 13 6	14,413 1 11	1,116 11 5	15,529 13 4	36,173 6 10			
Great Southern - -	30,558 7 0	28,212 7 5	—	28,212 7 5	58,770 14 5			
	£6,286,895 4 7	£1,951,217 7 9	£31,077 10 4	£1,982,294 18 1	£8,269,190 2 8			

53. The time is now approaching when the benefits of these great works will be sensibly felt. Not only have they already been the means of introducing into the country and of circulating amongst its labouring population many millions of money, but as the result of that outlay and labour they remain to bring forth abundant fruit for ages to come. They will all, I trust, ultimately, and some before many years, prove remunerative in themselves; but their political, commercial, and social advantages will be immediately apparent, and they will pave the way for introducing further capital and enterprise into the country. It is something to have already raised the condition of the labourer by increasing his wages 60 or even 80 per cent; and it is something to have enabled upwards of six millions of people to have travelled by railway in twelve months, who, ten years ago, had not seen a locomotive engine. It is something, also, to have earned nearly two millions since the lines were opened. But the time is coming when greater effects than these will be seen. In another year the great cotton fields of Central India and of Guzerat will be in direct communication with Bombay, and Delhi will be within two days reach of Calcutta. In many districts where there was no certain communication before, there will now be a sure and rapid one, and in places before unknown to the merchant will now be established markets where no interchange of commodities has yet taken place.

I have the honour to be, Sir,

Your most obedient servant,

JULAND DANVERS.

Half Yearly Amounts

Expenditure deducted from Gross Receipts. Receipts Gross classified.

£ 300,000

250,000

200,000

150,000

100,000

50,000

0

50,000

100,000

150,000

200,000

250,000

300,000

£ 200,000

150,000

100,000

50,000

0

50,000

100,000

150,000

200,000

£ 100,000

50,000

0

50,000

100,000

1853

1854

DIAGRAM OF THE
E.I. RAILWAY

Note. The Line in the N. in the end of 1857. Line at first The n till 1859

Miles open

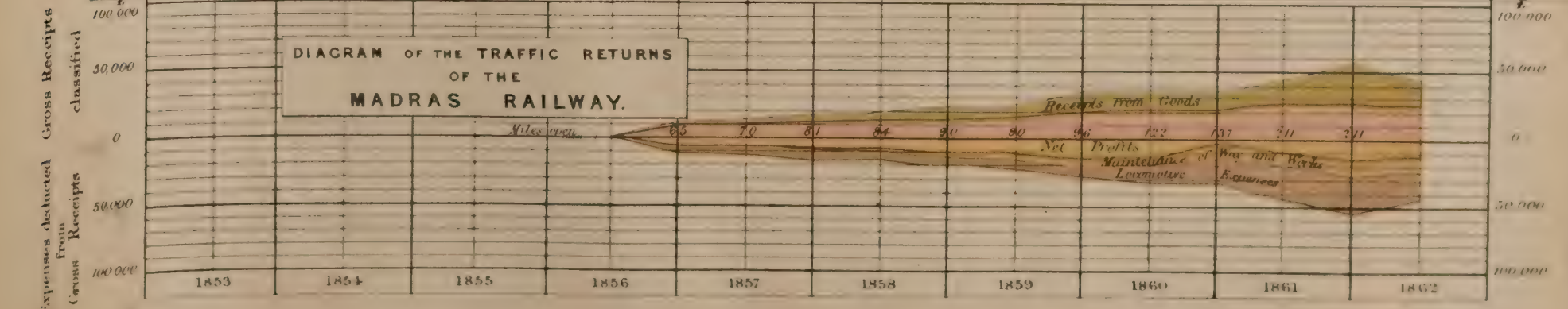
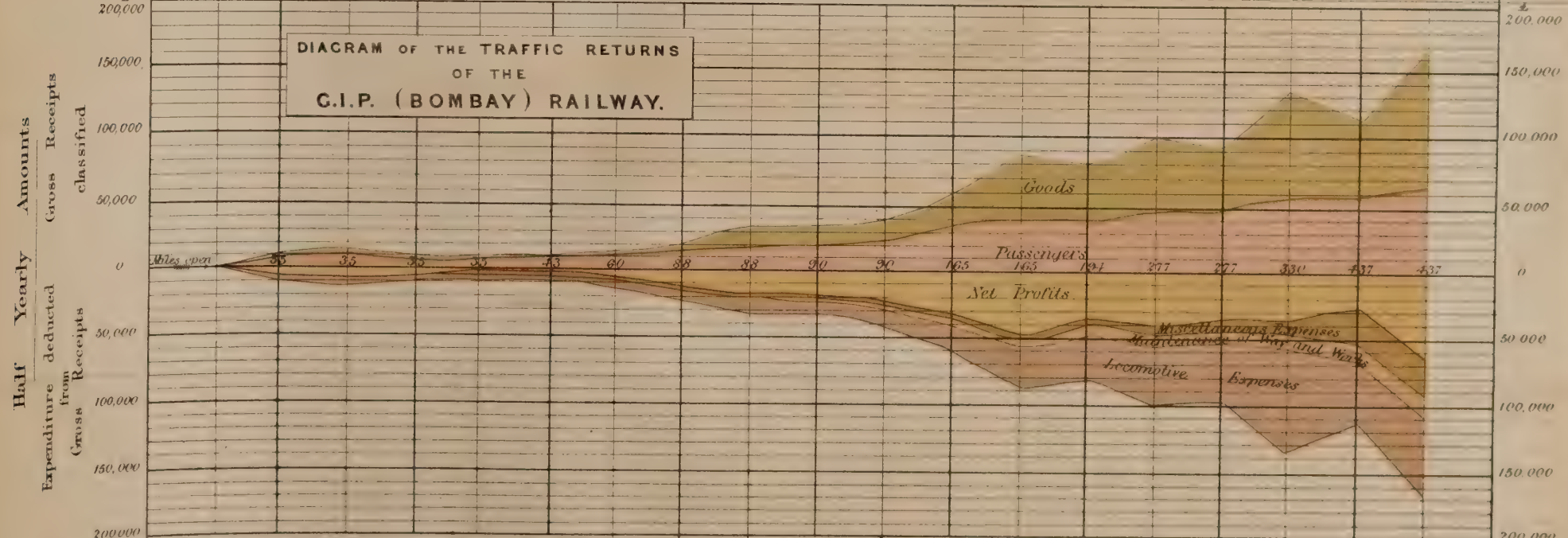
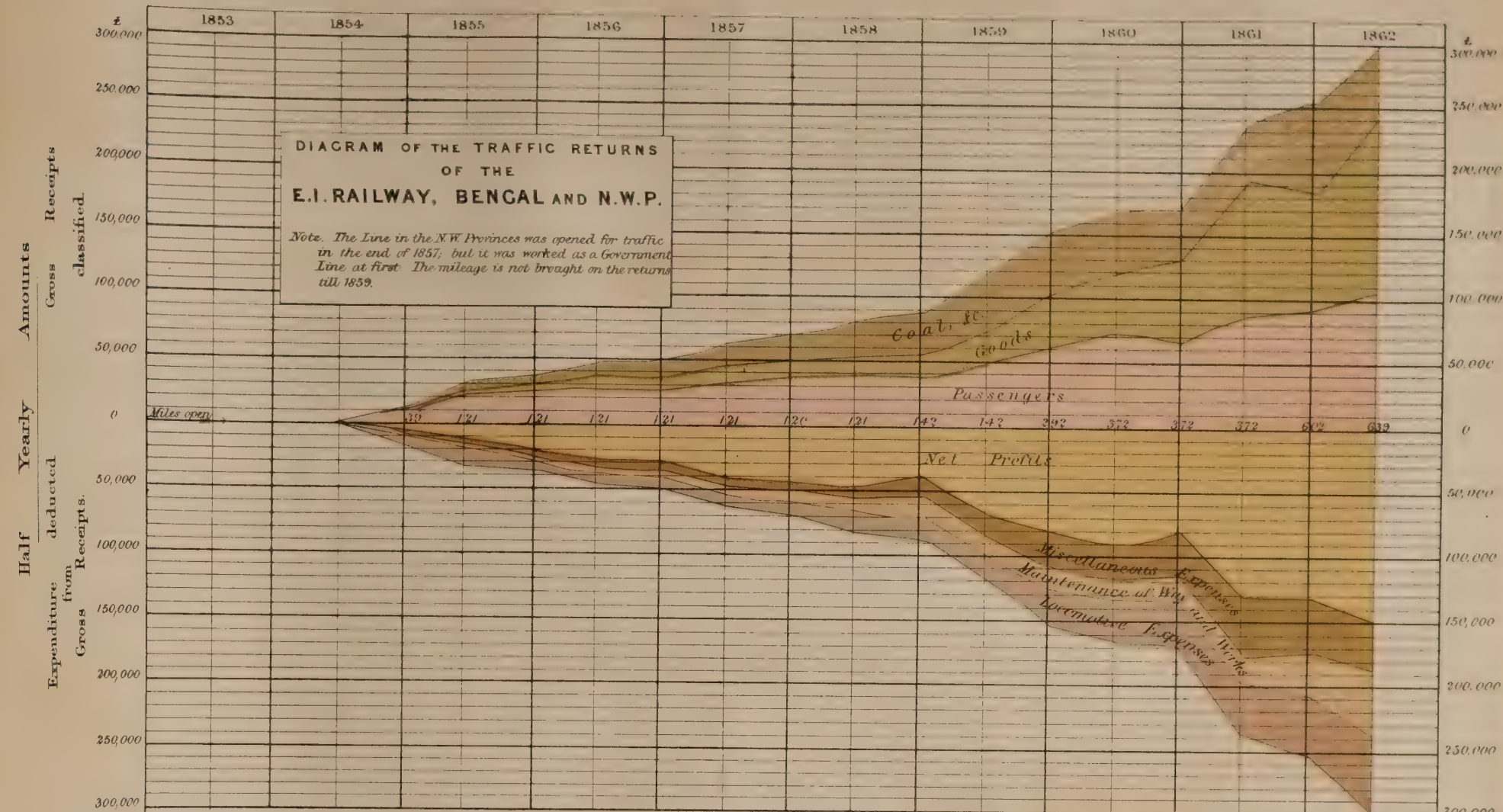
DIAGRAM OF THE
C.I.P. (BO)

Miles open

DIAGRAM OF THE
MADRA

1853

1854



APPENDIX.

PROCEEDINGS at the Official Opening of the BHOKE GHAUT INCLINE, on the GREAT INDIAN PENINSULA RAILWAY, Bombay, Tuesday, 21st April 1863.

The following Address from the Committee of Railway Directors in Bombay to His Excellency the Honourable Sir HENRY B. E. FRERE, K.C.B., Governor of Bombay, was read by Mr. BICKERSTETH, the Chairman of the Committee.

HONOURABLE SIR,

AFTER a period of more than eleven years, during which the Engineering Staff of the Great Indian Peninsula Railway have been constantly and arduously engaged in surveying and superintending the construction of the Bhoke Ghaut Incline, the Directors have at last the satisfaction of being able to report its completion, and have demonstrated by actual experiments its full capabilities for the purpose for which it was designed, and they, therefore, confidently invite your Excellency to declare it open for public traffic.

From the time when the lines of the Great Indian Peninsula Railway were first projected, it was apparent that the great practical difficulty to be overcome was the connexion of the Concan and Deccan lines by a line of railway which must ascend the great range of the Western Ghats; and that the first step to be taken was to find the route by which that barrier could best be surmounted.

It was originally intended to have only one railway over the Ghaut, from the top of which the North-Eastern line towards Nagpore and Calcutta, and the South-Eastern to Poonah and Madras, should diverge; and with this view the Malsej Ghaut, which lies between the Bhoke and Thull Ghauts, was selected by the late Mr. Chapman, and in 1846 and 1847 surveyed by Messrs. Clark and Conybeare. Could this line have been adopted, doubtless a large outlay of capital would have been avoided, and with little practical inconvenience. It was, therefore, Mr. Berkley's earliest duty, on his arrival in India as Chief Resident Engineer to the Company in 1850, to examine this route. This investigation resulted in the abandonment of the Malsej Ghaut Incline, on account of the almost insuperable difficulties which the ascent of the Ghaut by that route presented; and the Thull and Bhoke Ghaut Inclines, the one for the North-Eastern and the other for the South-Eastern lines, were determined on as those which would afford the most favourable ascent, and at the same time would best meet the requirements of the country.

The first incline up the Bhoke Ghaut was laid out in 1852. It followed the north side of the spur which connects the main Ghaut with the Concan, instead of the south side as now, and it included an incline plane of 1 in 20 $1\frac{1}{2}$ mile long, to be worked by stationary engines. The length of this incline was $13\frac{1}{2}$ miles, but the season's operations showed that it was practicable to lay out a continuous locomotive gradient from the base to the summit of the incline.

In the following season, after various other Ghauts had been examined, the further surveys of the Bhoke Ghaut were resumed. By increasing the length on the incline on the lower portion of the Ghaut, and the introduction of the Reversing Station, which was made in 1854 (and still further extended in the following season), great improvements were effected on the original line; and in 1855 the preliminary operations were completed, and the Incline laid out nearly as constructed, a few alterations and improvements being introduced during the progress of the work.

The construction of the Bhoke Ghaut Incline was let by contract to Mr. W. F. Faviell during the autumn of 1855, and the works were commenced on the 24th of January 1856. In June 1858, two miles of the upper part of the Incline from Khandalla to Lanowlee were opened for traffic, which has since been worked regularly and satisfactorily over that length with gradients of 1 in 40 and 1 in 50.

In March 1859 Mr. Faviell relinquished his contract, and the Company carried on the works under the management of their Resident Engineers, Messrs. Adamson and Clowser, until the following November, when Mr. Solomon Tredwell, to whom the contract had been re-let in England (in the previous August), commenced operations. The works were transferred to him on the 16th of November, but he had hardly completed the investigation of his contract and devised his plans for carrying on his operations on a scale adapted to the magnitude of the undertaking, when he was attacked by a sudden illness, and died at Khandalla on the 30th of November. On Mr. Tredwell's decease, serious embarrassment and delay to the works would

no doubt have occurred, had not Mrs. Tredwell, with a high spirit in the midst of her affliction, conducted the business of the contract, until, in the month of March 1860, Messrs. Adamson and Clowser were permitted to resign the Company's service, and accept the office of Contractor's Managers, Messrs. West and Tate being appointed Resident Engineers on the part of the Railway Company.

The remainder of that season, however, was nearly lost through a visitation of cholera, which lasted for two months, and occasioned great mortality amongst the work-people. In the two following working seasons, the average number of work-people employed was more than 25,000, and in March 1861 more than 42,000 men were employed upon the works.

The length of the Incline, from the base to the summit, is 15 miles 68 chains. The level of its base is 196 feet above the sea, and of its summit 2,027 feet; so that the total elevation surmounted by this Incline is 1,831 feet, the average gradient being 1 in 48, and the steepest gradient 1 in 37, for 1 mile and 38½ chains.

The earthwork in cuttings and embankments executed upon the Incline has amounted to 4½ millions of cubic yards; (or 285,240 cubic yards per mile over the whole length of the Incline).

Several of the embankments exceed 60 feet in height, and many of the outer slopes are 150 feet in length, and some of them as much as 300 feet. The greatest depth in the centre line of cuttings is 74 feet, and in one cutting the excavation on the upper side is nearly 150 feet deep through solid rock.

The total length of tunnels is [3,985 lineal yards or rather] more than 2¼ miles. There are [3,640 lineal yards or] more than two miles of retaining walls, and the total length of the viaducts and vaulting arches is (1,330 yards or) about three-quarters of a mile.

The principal viaducts are No. 1, of 8-50 feet arches and 129 feet from the surface of the ground; and No. 5, or Mhow-kee-Mullee viaduct, of 8-50 feet arches and 143 feet from the surface. The other viaducts range from 100 to 50 feet in height.

The works have been seven years and a quarter under construction, and about four years were spent in preliminary operations.

This brief history of the Bhere Ghaut Incline must not be closed without expressing the deep regret of the Directors and all connected with this Railway, that he who originated and designed these great works did not live to see their successful completion; but though he is gone his works remain, and of him they silently speak, and proclaim his great genius more eloquently and more impressively than any language; and not only do his works remain, but we are still surrounded by that chosen band of accomplished engineers, imbued with his own zeal, whom he had the singular fortune to attach to himself. To one of those, Mr. Graham, who has already proved himself a worthy successor to his lamented chief, is due the merit of perfecting and completing these great works, which, with all the other lines of the Company, have been under his superintendence ever since Mr. Berkley left India.

Messrs. Adamson and Clowser too were pupils of Mr. Berkley's; they were long connected with this Incline as the Company's Resident Engineers, and it was at his suggestion that, soon after Mr. Tredwell's death, they were permitted to undertake the duties of Contractor's Managers and the actual construction of the line they had up to that time superintended on behalf of the Company.

How ably and with what energy they have devoted themselves to the accomplishment of their arduous undertaking, is known to all who have had any opportunity of watching their operations; and the Directors think that the remarkable progress which has been made since they inspected the works a few weeks ago in your Excellency's company, when we were with difficulty able to walk through several of the tunnels and cuttings through which trains have now been run, must evidence to those who had no other opportunity of witnessing it, what great efforts Messrs. Adamson and Clowser are capable of, and have achieved.

It is not only the loss of their own Chief Resident Engineer during the progress of these works that the Directors have had to deplore; the death of Colonel Crawford, long the Consulting Engineer to Government, was deeply felt by all who were in any way connected with him.

To his successor, Colonel Rivers, the grateful acknowledgments of the Directors are especially due for the cordial assistance and able advice he has at all times willingly rendered them, and they sincerely trust that the Company may long enjoy the advantages which result from Colonel Rivers' official connexion with it.

The Directors beg in conclusion to tender to your Excellency their thanks for the warm interest your Excellency has taken in the progress of the great works the completion of which we celebrate to-day, whereby all engaged upon it have been greatly encouraged in their labours; and they desire to request that they may be permitted permanently to connect your Excellency's name with the Bhere Ghaut Incline, by recording the opening of the line by your Excellency upon a tablet to be erected in some prominent situation on the Incline.

His Excellency the Governor replied as follows:—

Mr. Chairman and Gentlemen of the Board of Directors,—It is a matter of extreme gratification to me, both personally and on public grounds, to accede to your request. I have watched the progress of this work since the idea of a railway to connect Bombay with the interior first occurred to Mr. Clark in the early part of 1844. I am glad to see among you this day some gentlemen who took an active part in promoting the scheme from its very

beginning; and it is with a feeling of deep thankfulness to the Almighty Disposer of all things, that I find myself now, as head of this Government, enabled to declare this great work, the Bhere Ghaut Incline—the turning point of the whole undertaking—finished and fitted for public traffic. The first notice that I find on record of any attempt to improve the means of communication in this direction dates in the early part of this century. The Duke of Wellington, then in command of our forces in the Deccan, with that foresight which seems to have been a part of his nature, saw the importance of improved communication with Bombay, and caused the old Bhere Ghaut to be made practicable for artillery, and what was then considered to be a good military road to be constructed from the head of the Ghaut to Poona. You may yet, I believe, find traces of this road the whole distance a little to the south of the line, which is now the old post road, and be told that the massive stone ramps which mark the nullah crossings were the work of Wellesley Sahib. It is nearly thirty-three years since Sir John Malcolm himself, a friend and companion of the Great Duke, opened the Ghaut for cart traffic. In a minute which he recorded on the subject, and a copy of which was shown me by Mr. Frere as we came up the Incline, he thus speaks of the work. The minute is dated 23rd November 1830. “On the 10th of November I opened the Bhere Ghaut, which, though not quite completed, was sufficiently advanced to enable me to drive down with a number of gentlemen in several carriages. The height of the mountain is nearly 2,000 feet, and the length of the road is $3\frac{3}{4}$ miles. It is impossible for me to give a correct idea of this splendid work, which may be said to break down the wall between the Concan and the Deccan. It will give facility to commerce, is the greatest of conveniences to troops and travellers, and lessens the expense of European and other articles to all who reside in the Deccan. This Ghaut will, besides, prove a positive creation of revenue, for I am satisfied from the decrease of hamallage, and the offers already made to farm the duties, that the first year will produce twenty thousand rupees, and that the ordinary revenue will hereafter rise to more than thirty thousand; while on any military operations occurring in a quarter which required the troops in the Deccan to move, the outlay would be paid by the cheap transmission of stores in a twelvemonth. That Government have had such a return for the lac of rupees expended on this work is chiefly to be ascribed to the enterprise, skill, and unwearied industry of the contractor, Captain Hughes, who, in his desire to do credit to himself, will be found, I believe, when the completion of the work is reported (which it will be before the 1st of January) to have done more, particularly in the breadth of the road, than the terms of the contract made obligatory. He has built, at his own cost, a small but neat lodge at the gateway, where the duties are to be levied, and on this he has inscribed in a small marble slab the year in which the work was made. I wish him to be instructed to place another below it, with an inscription stating that this Ghaut was constructed by Captain Hughes, and was opened on the 12th November 1830. I shall not anticipate the approbation Government may give Captain Hughes when the completion of the work is reported and is examined, or the consideration they may have for any useful work he may have done beyond the terms of his contract. This respectable gentleman will, I imagine, bring no claims upon the Government. He is very sensible to the favour and indulgence with which he has been treated in being aided with the detachment of pioneers for a few months; but he merits the most liberal encouragement, for he has not only executed in a superior manner a work of great importance, but has set an example, which if followed will be attended with all the beneficial results that must attend the establishment of contracts for such public works, to all who reside in the Deccan.” He then speaks of the work as an absolute creation of public revenue, and of its immense value in a military point of view. These are the words of one whose name will long live in honoured memory as one of the wisest and most far-seeing of modern Indian statesmen. I quote them, not merely to contrast our present appliances and facilities with those which he thought so great and important an improvement in the then existing facilities for transport, but as calculated to inculcate a lesson of humility in judging of the improvement, of our own day, and as showing how little the most far-seeing among us can calculate what results a single generation may bring forth. When I first saw the Ghaut some years later, we were very proud in Bombay of our mail-cart to Poona, the first, and at that time I believe the only one, running in India; but it was some years later before the road was generally used for wheeled carriages. I remember that we met hardly a single cart between Khandalla and Poona; long droves of pack bullocks had still exclusive possession of the road, and probably more carts now pass up and down the Ghaut in a week than were then to be seen on it in a whole year. But the days of mail-cart and bullock-cart, as well as the bringaree pack bullock, are now drawing to a close. Of the great work, the Bhere Ghaut Incline itself, you have stated in your address some of the principal statistics. I will not attempt to analyze their marvellous results. Were I to tell you that the bulk of so many pyramids was contained in the earthwork and masonry of the embankments—that it would take so many times all the bridges of London to equal the viaducts—or were I to compare the bulk of the stone quarried with the breakwaters of Plymouth or Portland—I could give you but an imperfect idea compared with that which we all have derived from traversing the Incline this day. Nor could any description give to the uninitiated a notion of the difficulties you have had to overcome. Military men who know what it is to organize and to feed an army of 10,000 men, may have some notion of the difficulties of organizing, feeding, and working a multitude of labourers, averaging, for years together, 25,000 men, and rising to the enormous number of 42,000; but most of us must be content with the impression we have this day derived, and it

is, I am sure, an impression which can never be effaced, of that which may, I believe, without exaggeration, be described as the greatest work of its kind in the whole world. (Cheers.)

I feel assured, gentlemen, that in future ages the works of our English Engineers on these Ghauts will take the place of those works of their demigods, the great cave Temples of Western India, which have so long to the simple inhabitants of these lands been the type of super-human strength, and of more than mortal constructive skill. Mr. Graham and Colonel Rivers will probably not allow me to say, that this Incline will ever remain among the greatest works of its class; they know the almost unlimited resources of their science, and will tell us that the greatest engineering triumph of to-day may be surpassed ere the present generation has died out. But the effects of these works on the fortunes of India are, I believe, destined to be far more important than merely supplying a theme for popular admiration, or the substance of a popular proverb. I do not speak merely of their effect on commerce and material prosperity. It is scarcely possible to exaggerate the importance of the railway in this respect, but this effect is so obvious and immediate that it hardly requires to be pointed out. Equally unnecessary would it be to dwell on the value of the railway as a military machine. Some of us have served with the men of our old European regiments, who marched with but one halt from Panwell to Poona to fight the battle of Kirkee; and all of us can estimate the immense military and political advantages of a work which will connect all the capitals of India, and place the garrisons of Madras and Bombay as close to each other in point of time as those of Poona and Bombay were within living memory. It is no exaggeration to say, that the completion of our great lines of Railway will quadruple the available military strength of India. Nor would I even dwell on the manifold blessings which will attend the work as mitigating some of the severest evils which can afflict humanity. We all of us know, either from our own experience, or from that of our friends, how great is the blessing of such ready and easy means of intercourse between distant points—the fever-stricken patient who longs for the cool sea breeze, or the wearied man of business who needs the bracing climate of the Deccan, need no longer experience, with a feeling akin to despair, the impossibility of moving; and every class, the roaming foreigner from a far land as well as the home-loving native of India, will have reason to bless the facilities which the Railway affords, for cheap and easy locomotion. But in addition to and above all these, this work will, I believe, be productive of moral effects in comparison with which its vast physical results may be literally said to be insignificant. You alluded in your address to some of those not now present among us, to whom the great work is most beholden. You spoke in fitting terms of him whose genius devised its great features; and who animated with his own spirit those who have given bodily form to his conceptions; you referred in terms of well-merited regret to him whose judgment and firmness, united to a kindly and sympathizing nature, enabled the Government and Engineers of the Company to work together with a harmony and practical energy unknown in other undertakings. And you did no more than fitting honour to the brave Englishwoman who, in the midst of her own sore affliction, thought more of her husband's honour than her own distress, and carried on a work the magnitude of which might well have appalled a Titan of old. It may be that the name of Mr. Berkley, of Colonel Crawford, and of Mr. Tredwell, may not survive the living memory of the present generation; but, we may rely on it, their example is not lost, and that it will be as nearly immortal as human example may be in that peculiar characteristic which they have all in common, and which forms the backbone of our national strength—their noble devotion to their duty. I may not now refer to other examples of those still amongst us, which will I believe be equally permanent. But I cannot let the occasion pass without tendering to all you have named as having had a prominent part in this great work, to Mr. Graham and to all his staff, to Messrs. Adamson and Clowser, and to Colonel Rivers, the cordial thanks of Her Majesty's Government for their share in this great undertaking. There is one point to which I cannot but advert, because I believe it calculated to exercise a permanent influence on the future of India. I need not now remind my countrymen that we of the Western world have the character of being a stern and heavy-handed race. Among the many difficulties which beset, or were supposed to beset, the introduction of railways into this country, was usually placed foremost the difficulty of controlling a large number of independent Englishmen—not like our soldiers, bound by the ties of military discipline—not in any way prepared to submit their own will to the mere dictates of authority. We have now ample experience to enable us to judge what foundation there was for such apprehension, and what has been the result? I do not pretend to say that there have not been exceptions; among the many hundreds of Englishmen who have been employed on these works, it would be strange if there were not some who possessed the more animal instincts of courage, strength, and capacity for physical exertion, in a higher degree than that inclination to take the weaker side, the love of truth and of fair play, on which as a nation we pride ourselves. But looking at the general results, and considering the effects which this invasion by a small army of Englishmen has produced on the country, I think there cannot be a doubt, not only that the fears which some people entertained were entirely chimerical, but that the lower ranks of this railway army, as well as the higher, have left a deep and beneficial impression on the population among which they have been employed; and that the result is one for which our countrymen of all ranks in your service, the artisans and mechanics, as well as the gentlemen on the engineering staff, richly deserve the gratitude of the Government and of their country. So far from its being the case that the bonds of official discipline are necessary to prevent the growth of ill feeling between the Saxon stranger and the natives of India, I find the employment

afforded by the non-official contractor almost invariably more popular than that of Government; and, if we were both bent on raising an army, I doubt if Government could have more formidable rivals than Messrs. Adamson and Clowser. I know of no sight more impressive, or more full of suggestive topics to any one who reflects on the future of India, than such a visit as I lately paid to the contractors' works before they were finished. It was then easy to see how railway works taught the native labourer habits of method and punctuality, habits of truth and honesty in his work, and above all habits of independence. It is in this last respect more than in any other that I believe these railway works will have an immense influence on the future of India. We all know what vast sums, chiefly of English capital, have of late years been spent in this country. Let us consider for one moment what has been the effect of all this money being spent, in giving a fair day's wages for a fair day's labour. I can safely say that, as a rule, this was unknown before the commencement of what I may call the Railway Period; not only were wages in most parts of the country fixed by usage and authority, rather than by the natural laws of supply and demand, but the privilege of labour was in general restricted to particular spots, and nothing like the power of taking his labour to the best market practically existed. This was partly due to custom, partly to the absence of any but agricultural employment, partly to long ages of despotic and unsettled government. But the result was, that the condition of the mere labourer was wretched in the extreme, and the past efforts of Government could do but little to raise him above the status of a serf of the soil. All this has now, I am happy to say, changed, mainly as a direct consequence of these vast railway works; and for the first time in history the Indian Cooly finds that he has in his power of labour, a valuable possession, which, if he uses it right, will give to him and to his family something better than a mere subsistence, and that there are means open to him of rising in the world other than by the career of a fortunate soldier, or of the chance favouritism of princes. And what has been the result of this discovery to him? Has it made him more indolent, less inclined to labour, more content to be satisfied with the mere existence which he can now procure with less labour than formerly? I believe there is no one who has any experience in the matter, who will not bear me out in saying, that this is not the case; the labourer is, of course, more independent,—he is in a better position to make his own terms with his employer, and that is perhaps sometimes shown in a manner which the employer does not quite like; but, as a general rule, I believe the labourer works far harder, and acquires new and more civilized wants, in proportion to the high wages he receives. But the effect is not limited to the labourer while he is on the railway works. Follow him to his own home in some remote Deccan or Concan village, and you will find the railway labourer has carried to his own village not only new modes of working, new wants, and a new feeling of self-respect and independence, but new ideas of what Government and the laws intend to secure to him; and he is, I believe, a better and more loyal subject, as he certainly is a more useful labourer. Let us add to this effect on the labouring population, the inevitable and irresistible tendency of railways to break the bonds of caste, and to destroy the isolation in which the various classes and races of natives have hitherto lived, and you have an aggregate of moral results such as may well be the subject of grave thought to those who are interested in the future of India, and more particularly of us who have seen in our own time and on our own continent the vast effects for good or for evil which must follow any great change in the habits of life and of feeling of large masses of the people. Gentlemen, as we came up the Incline to-day, two thoughts must, I think, have forced themselves on the minds of most of us. The one was the immense importance to every one who was then travelling, or may hereafter travel, up the Incline of the general truth and honesty with which the work has been executed, and of the order and discipline which are such essential parts of railway management. As we ran over the viaducts and spun round the edges of the hills, it was impossible to help feeling how much depended on the honesty of masonry buried, perhaps, many feet deep in the earth, and on the true forging of an axle or a coupling iron, made thousands of miles away by people who rarely heard and seldom thought of India. Works such as we have this day seen are possible only under a strong, settled, civilized Government, where truth and honesty in the minutest details of ordinary work are held in habitual honour. But there was another feeling calculated to hush any national pride at such results; it was the feeling of awe from which no man can be free in the presence of such striking phenomena of nature, as the vast rocks and precipices among which the railway winds. One could not but feel the utter insignificance of man in the face of the great features of nature on so vast a scale, and the most thoughtless among us must have felt inclined to say, 'Not unto us, O Lord, not unto us, but unto Thy name be the glory.' Let us trust, Sir, that the blessing of God which has carried the work thus far may rest on the work, that it may be such a permanent monument of our rule as a thoughtful patriotic Englishman may wish to see raised by his nation, and as all who love India, whatever their race or creed, may rejoice to see completed, not merely uniting distant provinces in one bond of material prosperity, but knitting together distant peoples and races under our orderly and beneficent rule, and thereby advancing the cause of civilization by means which may be blest alike to India and to England. (Loud cheers.)

And now, in the name of Her Majesty's Government, *I declare the Bhoze Ghaut Incline to be open and fitted for public traffic.*

LONDON:

Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

EAST INDIA (RAILWAYS, &c.).

RETURN to an Address of the Honourable The House of Commons,
dated 4 July 1862;—for,

A “RETURN of all SALARIES paid and MONIES expended, in *India* and in
England, in carrying out the Guarantee System with respect to
RAILWAYS and other Public Undertakings in *India*.”

India Office, }
22 April 1863. }

W. T. THORNTON,
Secretary, Public Works Department.

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, to be Printed,
24 April 1863.

RETURN of the SALARIES paid and MONIES Expended by the Government of *India* in carrying out the Guarantee System with respect to RAILWAYS.

	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	TOTAL.
Consulting Engineer - - - -	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Deputy Consulting Engineer -	5,226 14 0	3,397 - -	2,897 8 -	2,885 16 -	2,885 16 -	2,885 16 -	292 - -	- - -	135 10 -	2,273 - -	22,879 - -
Consulting Engineer's Establishment -	- - -	- - -	- - -	- - -	- - -	- - -	154 10 -	1,010 4 -	625 16 -	1,116 2 -	3,815 12 -
Travelling charges, house-rent, and other contingent charges - - - -	- - -	- - -	187 8 -	210 18 -	192 2 -	88 16 -	373 6 -	461 - -	462 - -	971 - -	2,946 10 -
	- - -	806 - -	58 16 -	210 2 -	106 6 -	226 4 -	106 12 -	99 14 -	104 6 -	481 8 -	2,199 8 0
TOTAL - - - - £.	5,226 14 -	4,203 - -	3,143 12 -	3,306 16 -	3,184 4 -	4,109 16 -	926 8 -	1,570 18 -	1,327 12 -	4,841 10 -	31,840 10 -

RETURN of the SALARIES paid and MONIES Expended by the Government of *Bengal* in carrying out the Guarantee System with respect to RAILWAYS.

Year ending 31st December														
	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	TOTAL.
Consulting Engineer	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Deputy Consulting Engineer	-	-	-	-	-	-	-	-	-	1,274 12 6	1,907 4 2	1,669 13 -	1,692 5 -	6,543 14 8
Assistant Consulting Engineer	-	-	-	-	-	-	-	-	-	2,767 14 -	2,502 4 7	1,523 10 7	1,047 14 3	7,841 3 5
Consulting Engineer's Establishment.	-	-	-	-	-	-	-	-	-	-	-	360 - -	720 - -	1,080 - -
Joint Secretary's Establishment	-	-	-	-	-	-	-	-	-	1,572 - -	2,184 15 4	2,700 13 3	2,465 16 8	8,923 5 3
Deputy Consulting Engineer's Establishment.	-	-	-	-	-	-	-	-	-	-	-	259 1 7	601 12 11	860 14 6
Salaries of Officers employed in the purchase of land, and their Establishments.	999 10 6	6,817 18 3	5,688 6 8	5,749 2 10	6,084 16 2	8,414 10 10	5,914 12 10	1,527 10 1	783 16 8	6,654 13 10	2,267 12 3	-	-	50,902 10 11
Contingent expenses for the Joint Secretary's Department.	-	-	-	-	-	-	-	-	-	-	522 - 7	923 19 2	406 - 7	1,852 - 4
Contingent expenses for the Consulting Engineer's Office.	-	-	-	-	-	-	-	-	-	762 - 1	912 15 9	820 11 3	1,153 8 -	3,648 15 1
TOTAL - - - £.	999 10 6	6,817 18 3	5,688 6 8	5,749 2 10	6,084 16 2	8,414 10 10	5,914 12 10	1,527 10 1	783 16 8	13,031 - 5	10,296 12 9	8,257 8 10	8,086 17 5	81,652 4 5

RETURN of the SALARIES paid and MONIES expended by the Government of the *North Western Provinces* in carrying out the Guarantee System with respect to RAILWAYS and other Public Undertakings.

	Year ending 31st December										TOTAL.													
	1854.		1855.		1856.		1857.		1858.			1859.		1860.		1861.								
	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.		£.	s. d.	£.	s. d.	£.	s. d.							
Consulting Engineer, Deputy Consulting Engineer, and Under Secretary, Railway Branch.	-	-	1,025	7	-	1,038	18	-	1,056	19	3	2,002	19	4	2,956	12	4	2,955	17	2	13,797	12	7	
Deputy Consulting Engineer's Establishment	-	-	-	-	-	100	6	3	224	18	5	-	-	-	-	-	-	-	-	-	325	4	8	
Consulting Engineer's Establishment	-	-	-	-	-	-	-	-	-	-	-	322	-	10	540	5	11	1,039	12	7	1,048	19	5	
Contingent expenses of Deputy Consulting Engineer's Office	-	-	-	-	-	198	16	1	84	10	3	-	-	-	-	-	-	-	-	-	283	6	4	
Contingent expenses of Deputy Consulting Engineer's and Under Secretary's Railway Branch Office.	-	-	-	-	-	-	-	-	-	-	-	184	7	7	458	16	6	508	9	5	746	4	1	
Salaries of Officers engaged in the purchase of land, and their Establishments	50	-	9	1,111	8	2	297	14	3	307	3	9	93	13	11	110	8	7	119	15	10	28	17	1
TOTAL	50	-	9	2,136	15	2	1,635	14	7	1,673	11	8	2,603	1	8	3,870	10	6	4,624	10	2	4,779	17	9

RETURN of the SALARIES paid and MONIES expended by the Government of the *Punjab* in carrying out the Guarantee System with respect to RAILWAYS and other Public Undertakings.

Year ending 31st December														TOTAL.
1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.		
£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	
-	-	-	-	-	-	-	-	-	-	-	1,339	1,481	2,820	
-	-	-	-	-	-	-	-	-	-	-	205	-	1,818	
-	-	-	-	-	-	-	-	-	373	1,240	340	497	869	
-	-	-	-	-	-	-	-	-	-	32	59	-	372	
-	-	-	-	-	-	-	-	-	20	293	-	-	-	
The work has been done by the Collectors of the districts traversed by the Railway, aided by their Revenue Establishments.														
-	-	-	-	-	-	-	-	-	117	104	214	135	570	
-	-	-	-	-	-	-	-	-	510	1,669	2,157	2,113	6,449	
TOTAL - - - £.														

RETURN of the SALARIES paid and MONIES expended by the Government of *Madras* in carrying out the Guarantee System with respect to RAILWAYS.

	Year ending 31st December											REMARKS.
											Total.	
	1853.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.		
Consulting Engineer	£. 2,400 -	£. 2,400 -	£. 2,400 -	£. 2,400 -	£. 2,116 4	£. 2,116 4	£. 2,400 -	£. 2,400 -	£. 2,400 -	£. 1,215* -	£. 22,347 8	* The figures in this column represent payments up to the 31st August 1862.
Deputy Consulting Engineer	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	£. 6,514 2	
Consulting Engineer's Establishment	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	£. 6,224 16	
Deputy Consulting Engineer's Establishment	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	£. 383 2	
Deputy Consulting Engineer's travelling expenses	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	£. 277 16	
Salaries of Officers engaged in the purchase of land, and their Establishments.	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	
There were no officers specially appointed in this Presidency for acquiring land ; the work was done by the Collectors of the districts traversed by the Railways, aided by their revenue Establishments.												
Contingent charges† of the Consulting Engineer's Office	4 14	13 -	20 12	82 13	78 9	86 13	99 10	65 7	63 16	17 10	532 4	† Office-rent and other miscellaneous charges.
TOTAL	2,565 13	2,944 19	2,985 10	3,483 9	4,003 11	3,815 16	4,510 15	4,603 15	4,690 15	2,575 5	36,179 8	

RETURN of the SALARIES paid and MONIES expended by the Government of *Bombay* in carrying out the Guarantee System with respect to RAILWAYS and other Public Undertakings.

	Year ending 31st December												TOTAL.
	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	
Consulting Engineer (salary, travelling and other expenses) - - -	822	1,608	1,653	1,743	1,788	2,181	2,195	2,237	2,213	2,428	2,343	2,432	23,643
Deputy Consulting Engineer at the Presidency, Bombay, for the G. I. P. Railway.	-	-	-	-	-	200	607	776	726	1,361	604	1,302	5,576
Deputy Consulting Engineer for the G. I. P. Railway in Central Provinces.	-	-	-	-	-	-	-	-	-	-	-	146	146
Deputy Consulting Engineer in Guzerat, for Bombay, Baroda, and Central India Railway.	-	-	-	-	-	399	1,063	1,265	1,264	1,320	1,302	1,314	7,927
Deputy Consulting Engineer in Sind, for Sind Railway and Indus Steam Flotilla.	-	-	-	-	-	157	423	932	1,198	1,162	1,314	1,248	6,434
Officers engaged in purchase of land, and their Establishments - - -	In the Bombay Presidency and Sind the transfer of land to the Railway Companies has been effected by the Consulting Engineer and his Deputies, in communication with the Collectors of the districts traversed by the lines.												
Establishment of Secretary - - - - -	-	-	24	386	454	530	618	709	699	699	807	729	5,655
Establishment of Consulting Engineer - - - - -	62	94	24	24	24	196	441	512	679	798	1,069	1,038	4,961
TOTAL - - - £.	884	1,702	1,701	2,153	2,266	3,663	5,347	6,431	6,779	7,768	7,439	8,209	54,342

RETURN of all SALARIES paid and MONIES expended in *England*, in carrying out the Guarantee System with respect to RAILWAYS and other Public Undertakings in *India*.

	Year ending 31st December												
	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.
Allowance of Government Director* of Railways	£. 86	£. 500	£. 500	£. 553	£. 750	£. 750	£. 1,123	£. 1,000	£. 1,050	£. 1,433	£. 1,952	£. 1,800	£. 1,735
Salary of Deputy Government Director of Railways.	-	-	-	-	-	-	-	-	-	-	-	-	28
Salary of Government Director of Madras Irrigation and Canal Company.	-	-	-	-	-	-	-	-	-	-	137	200	143
Proportion of cost of India Office Establishment chargeable to this head.	The work connected with Railways and other Guaranteed Companies was, up to September 1858, performed by clerks in the Secretary's Office at the East India House, and in the Financial Department of the India Board; and it is not possible to state with accuracy the proportion of expenses chargeable to this head. The Railway, &c. business at the India Office is now conducted in the Public Works Department, the annual charge of which is 4,043 <i>l.</i> ; and it is calculated that about one-half of the work relates to Guaranteed Companies.												

* The Government Director formerly received an allowance for expenses connected with Railways; a salary of 1,200 *l.* per annum is now, however, affixed to the office.

EAST INDIA (RAILWAYS, &c.).

RETURN of all SALARIES paid, and MONIES expended, in *India* and in *England*, in carrying out the Guarantee System with respect to RAILWAYS and other Public Undertakings in *India*.

(*Mr. Henry Seymour.*)

*Ordered, by The House of Commons, to be Printed,
24 April 1863.*

EAST INDIA (CONSULTING RAILWAY ENGINEERS).

RETURN to an Address of the Honourable The House of Commons,
dated 8 July 1862;—for,

A “ RETURN of the Names of the several OFFICERS, in succession, who have filled the Office, substantively or temporarily, of CONSULTING ENGINEER in the RAILWAY DEPARTMENT to the Government of *Bengal*; and of the Rank in the Service, and of the Length of Service, of each Officer when entering upon such Appointment :”

“ And, similar RETURN with respect to OFFICERS similarly employed under the Governments of the *North Western Provinces of India*, the *Punjab*, *Madras*, and *Bombay*.”

India Office, }
22 April 1863. }

W. T. THORNTON,
Secretary, Public Works Department.

(*Mr. Crawford.*)

Ordered by The House of Commons, to be Printed,
24 April 1863.

RETURN of the Names, Rank, &c., of the several CONSULTING ENGINEERS in the Railway Department to the Governments of *India* and *Bengal*.

Names and Rank in the Service when appointed.	DESIGNATION.	Date of Appointment.	Length of Service when appointed.
			<i>Yrs. m. d.</i>
T. W. Simms, Esq. - -	Civil Engineer for Railways - - - -	13 Sept. 1845	
Major J. P. Kennedy - -	Railway Engineer to Government of India - -	1 Nov. 1850	
CONSULTING ENGINEERS:			
Major W. E. Baker (Bengal Engineers).	Consulting Engineer to Government - - - -	11 Mar. 1851	24 2 27
Capt. H. Yule - (ditto)	Officiating Consulting Engineer to Government of India.	6 Nov. 1857	18 10 26
Major A. J. Goodwyn (ditto)	Consulting Engineer to Government of India - -	4 Dec. 1857	20 5 22
Major R. Strachey (ditto)	- - Ditto - - - ditto - - - -	13 Sept. 1858	22 3 3
Capt. W. H. Greathed (ditto)	Officiating Consulting Engineer - - - -	13 Sept. 1858	18 9 4
Capt. C. J. Hodgson (ditto)	Officiating Consulting Engineer to Government of India.	5 April 1859	16 9 26
Ditto - - (ditto)	Officiating Consulting Engineer to Government of Bengal, and in charge of office of Consulting Engineer to Government of India.	14 June 1859	17 0 4
Capt. J. P. Beadle - (ditto)	Consulting Engineer to Government of Bengal, and Joint Secretary to Government of India, Railway Department, (the Office of Consulting Engineer to Government of India being abolished).	4 May 1860	19 4 23
Capt. H. Hyde (Royal Engineers).	Officiating Consulting Engineer and Joint Secretary to Government of Bengal.	1 July 1861	17 0 24
Major H. Drummond (ditto)	- - Ditto - - - ditto - - - -	23 Jan. 1862	18 1 15
Capt. T. S. Taylor - (ditto)	- - Ditto - - - ditto - - - -	8 May 1862	14 10 27

RETURN of OFFICERS who have filled the Office of CONSULTING ENGINEER in the Railway Department in the *North Western Provinces*, up to 31 December 1861.

NAMES of OFFICERS.	Rank in the Service on joining Appointment.	Length of Service on joining Appointment.	Corps.	Date of joining Appointment.	REMARKS.
		<i>Yrs. mos.</i>			
W. H. Greathed -	Lieutenant -	8 7	Engineers -	10 Jan. 1855	Deputy Consulting Engineer.
W. H. Greathed -	Major -	11 6	- „ -	4 Dec. 1857	Consulting Engineer.
G. Sim -	Captain -	13 6	- „ -	13 Sept. 1858	Deputy Consulting Engineer.
H. Hyde -	Captain -	13 3	- „ -	9 Sept. 1859	Deputy Consulting Engineer.
C. J. Hodgson -	Captain -	17 7	- „ -	22 Mar. 1860	Consulting Engineer and Under Secretary to Government, North Western Provinces.
R. De Bourbel -	Captain -	10 6	- „ -	6 April 1860	Deputy Consulting Engineer and Assistant Secretary to Government, North Western Provinces.

RETURN of OFFICERS who have filled the Office of CONSULTING ENGINEER in the Railway Department in the *Punjab*, up to 31 December 1861.

Names of Officers.	Rank in the Service on joining Appointment.	Length of Service on joining Appointment.	Corps.	Date of joining Appointment.	REMARKS.
		<i>Yrs. mos.</i>			
J. G. Medley -	Major -	11 3	Engineers -	30 Sept. 1858	Deputy Consulting Engineer.
George Sim -	Captain -	17 7	ditto -	27 Feb. 1860	Consulting Engineer.

RETURN of the Names, Rank, &c. of the CONSULTING ENGINEERS in the Railway Department to the Government of *Madras*.

Present Rank.	Name.	Rank when appointed to the Railway Department.	Length of Indian Service when appointed.	APPOINTMENTS.
			<i>Yrs. mos. days.</i>	
Major General -	T. T. Pears, C.B. -	Brevet Major -	27 6 15	Consulting Engineer, from 1 January 1853 to 30 September 1857.
Lieutenant Colonel -	C. C. Johnston -	Captain -	18 3 14	Officiating Consulting Engineer and Consulting Engineer, from 1 October 1857 to 13 March 1862.
Captain -	P. P. L. O'Connell -	ditto -	16 8 12	Acting Consulting Engineer, from 14 March 1862 to present date.

RETURN of the OFFICERS who have filled the Office, substantively or temporarily, of CONSULTING ENGINEER in the Railway Department to the Government of *Bombay*.

Years.	Names and Rank.	Designation.	Length of Service when appointed.	REMARKS.
1850	J. H. G. Crawford - Captain	Superintending Engineer, Railway Department.	20 years -	Appointed, 26 June 1850.
1851	- Ditto -	- ditto.		
1852	- Ditto -	- ditto.		
1853	- Ditto -	- ditto.		
1854	- Ditto -	- ditto.		
1855	- Ditto - Major	- ditto.		
1856	- Ditto -	- ditto -	- - -	Left 12 May 1856, on sick leave to England.
1856	Harry Rivers - Captain	Acting Superintending Engineer.	17 years -	Deputy Superintending Engineer, appointed Acting Superintending Engineer, 13 May 1856.
1857	- Ditto -	- ditto.		
1858	- Ditto -	- ditto.		
1858	J. H. G. Crawford - Lieut. Col.	Superintending Engineer -	- - -	Took charge, 13 June 1858.
1859	- Ditto -	Consulting Engineer for Railways.		
1860	- Ditto -	- ditto -	- - -	Died, 22 April 1860.
1860	Harry Rivers - Captain	- ditto -	- - -	Appointed, 2 May 1860.
1861	- Ditto - Lieut. Col.	- ditto.		

EAST INDIA
(CONSULTING RAILWAY ENGINEERS).

RETURNS of the Names of the several OFFICERS who have filled the Office of CONSULTING ENGINEER in the RAILWAY DEPARTMENT to the Governments of *Bengal*, the *North Western Provinces*, the *Punjab*, *Madras*, and *Bombay*; and of the Rank in the Service, and of the Length of Service, of each Officer when entering upon such Appointment; &c.

(*Mr. Crauford.*)

Ordered, by The House of Commons, to be Printed,
24 April 1863.

25

EAST INDIA (ISTHMUS OF KRAW RAILWAY).

RETURN to an Address of the Honourable The House of Commons,
dated 18 February 1863;—for,

“COPIES of any CORRESPONDENCE between Individuals in this Country and Her Majesty's Government relative to proposed RAILWAY across the Isthmus of *Kraw* :”

“And, of DESPATCH from the Governor General of *India*, with its Enclosures, on the same subject.”

India Office, }
13 March 1863. }

J. WM. KAYE,
Secretary, Political Department.

(Mr. Wyld.)

Ordered, by The House of Commons, to be Printed,
16 March 1863.

CONTENTS.

DATE,	FROM.	TO.	PAGE.
29 December 1859	Mr. Wise - - - -	Sir C. Wood - - - -	3
29 „ „	Memorandum and Charts -	- - - - -	4
2 January - 1860	Mr. Hammond - - - -	Mr. Wise - - - -	5
20 „ „	Mr. Melvill - - - -	Ditto - - - -	5
22 May. - 1862	Extract, India Government -	Sir C. Wood - - - -	5
10 June - 1861	Lieutenant Colonel Fytche -	India Government - - -	7
26 April - „	Report by Captains Fraser and Forlong -	- - - - -	7
22 „ - 1862	India Government - - - -	Lieutenant Colonel Fytche -	14

COPIES of CORRESPONDENCE between Individuals in this Country and Her Majesty's Government, relative to proposed RAILWAY across the Isthmus of *Kraw*: and of DESPATCH from the Governor General of *India*, with its Enclosures, on the same subject.

Mr. *H. Wise* to Sir *Charles Wood*.

Lloyds, 29 December 1859.

I HAVE the honour to inform you, that in reply to my application on the subject, I have received an official communication from the Government of Siam, sanctioning the construction of a railway across the narrow strip of Siamese territory which divides the Bay of Bengal from the Gulf of Siam, or, in other words, the Indian Ocean from the China Sea, whereby the distance to China will be considerably lessened, and the detour round the Malayan peninsula avoided. The reasons which have influenced the first King of Siam to make this valuable concession, afford satisfactory proof of the enlightened views entertained by the ruler of that interesting country. The Prime Minister writes from Bang-Kok on this point, as follows:—"His Majesty would be averse to the proposed transit, were it not that it is connected with the advancement of civilization, to which end His Majesty has ever contributed his Royal support." You will also be gratified, sir, to learn that the Government of Siam concede the right of navigating the rivers by which each end of the railway will be approached, and agree that the land required for the line shall have a boundary of one English statute mile in breadth throughout. It is also agreed, that the servants of the contractors of the railway, while resident in the Siamese dominions, shall be regarded as British subjects coming under the provisions of the treaty recently concluded with Her Majesty.

The length of the line will not much exceed 50 miles, and when this important connecting link in the chain of our communication with China is completed, the transit overland of mails and passengers from the Bay of Bengal to the Gulf of Siam, or *vice versa*, will be accomplished in about two hours, whereas the passage from sea to sea, *vid* the present circuitous route through the Straits of Malacca and Singapore, is seldom performed by sailing vessels in less than three weeks, and it frequently occupies double that time, owing to the calms and light airs prevalent throughout the Straits at all seasons of the year. You will gather, sir, from the preceding remarks, and from the statements contained in the accompanying memorandum relating to the railway:

1. That as there are no political, physical, or engineering difficulties of any kind, the line can be quickly and cheaply constructed.

2. That the communications by water with each end of the line are unexceptionable.

3. That the line commencing in sight of, and only two miles distant from the southern boundary of our Tenasserim Provinces, will proceed through a district equal in salubrity of climate, and richness of soil, to that highly favourable British settlement, Penang, the garden of the Indian Archipelago.

I may also, sir, point out that the railway will greatly facilitate the extension of telegraphic communication with China, by affording the necessary protection to the cables employed on that line—electric cables from Rangoon, traversing the Isthmus of Kraw by the side of the railway, and continued through the soft mud in the Gulf of Siam, along the coasts of Cochin China, and China, to Hong Kong, will be liable to fewer casualties than those cables which must inevitably cross many miles of jagged coral, if laid down by the Straits route.

It should likewise be mentioned that the reduction in the mileage of the steam vessels employed in the conveyance of the China mails, reckoning only the

number of passages now made, viz., two each way monthly, will exceed, when the new route is adopted, and the packets run to and from each terminus, 35,000 miles per annum, causing thereby a large annual saving in the expenditure for coals, wages, provisions, &c. connected with the performance of that part of the postal contract.

The geographical position of the line situated on, and forming part of the great highway both from Europe and India to China, is unrivalled. In fact, the railway may be fairly considered the complement, as it were, of the measures proposed and adopted during the last 20 years for perfecting one main direct line, by which alone all nations can communicate rapidly with China. It has been truly observed, "that two empires with 400 millions of population, have been thrown open to the energy and enterprise of the western world. France is already approaching those countries by the settlements she proposes to establish in Cochin China; and the rapid transmission of the treaty of Tien-Tsin to St. Petersburg proves that Russia is not idle."

As you, sir, must be fully alive to these and other indications, I cannot suppose that Her Majesty's Government will view with indifference a work which concerns the whole civilised world.

The Honourable Frederick Bruce, Her Majesty's representative in China, informed me before leaving England that he had thoroughly investigated the question of shortening the distance to China by making the Isthmus route available, and that he duly estimated its political importance. Mr. Bruce also concurred with me in thinking that the substitution of a railway for the canal I originally proposed, was for many reasons prudent and judicious. The Government of Siam, after considering the representations I made relative to both plans, have arrived, it appears, at the same conclusion.

I beg permission to add that I deemed it my duty to furnish Her Majesty's consul at Bang-Kok with a copy of my application to the first King of Siam respecting the railway. Sir Robert Schomburgk, I find by the tenor of his reply to that communication, entertains the same opinions as Mr. Bruce; he also adverts to the advantages which the line will confer on the commercial community, and expressed the satisfaction it will afford him to give all the assistance in his power to so useful an undertaking. You are, I presume, aware, sir, that Sir John Bowring, late Governor of Hong Kong, has for many years given his attention to the Isthmus route, and although strongly in favour of a canal, he will, I am sure, on learning the decision of the Siamese Government, heartily concur in the mode now proposed for accelerating our communication with China.

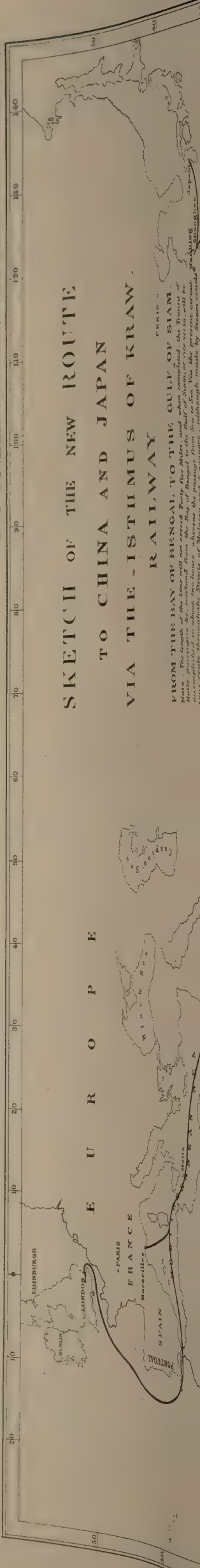
You will, I am satisfied, sir, fully appreciate the great value and importance of the railway to our policy and progress in the East, and considering how many objects of public utility it will facilitate, especially in reference to our relations with India and China, and the urgent necessity that may at any hour again arise for the rapid transit of troops to or from those countries, I venture to hope that Her Majesty's Government will afford their cordial support and encouragement to those parties who accomplish a work of such vast consequence to the political and commercial interests of this country.

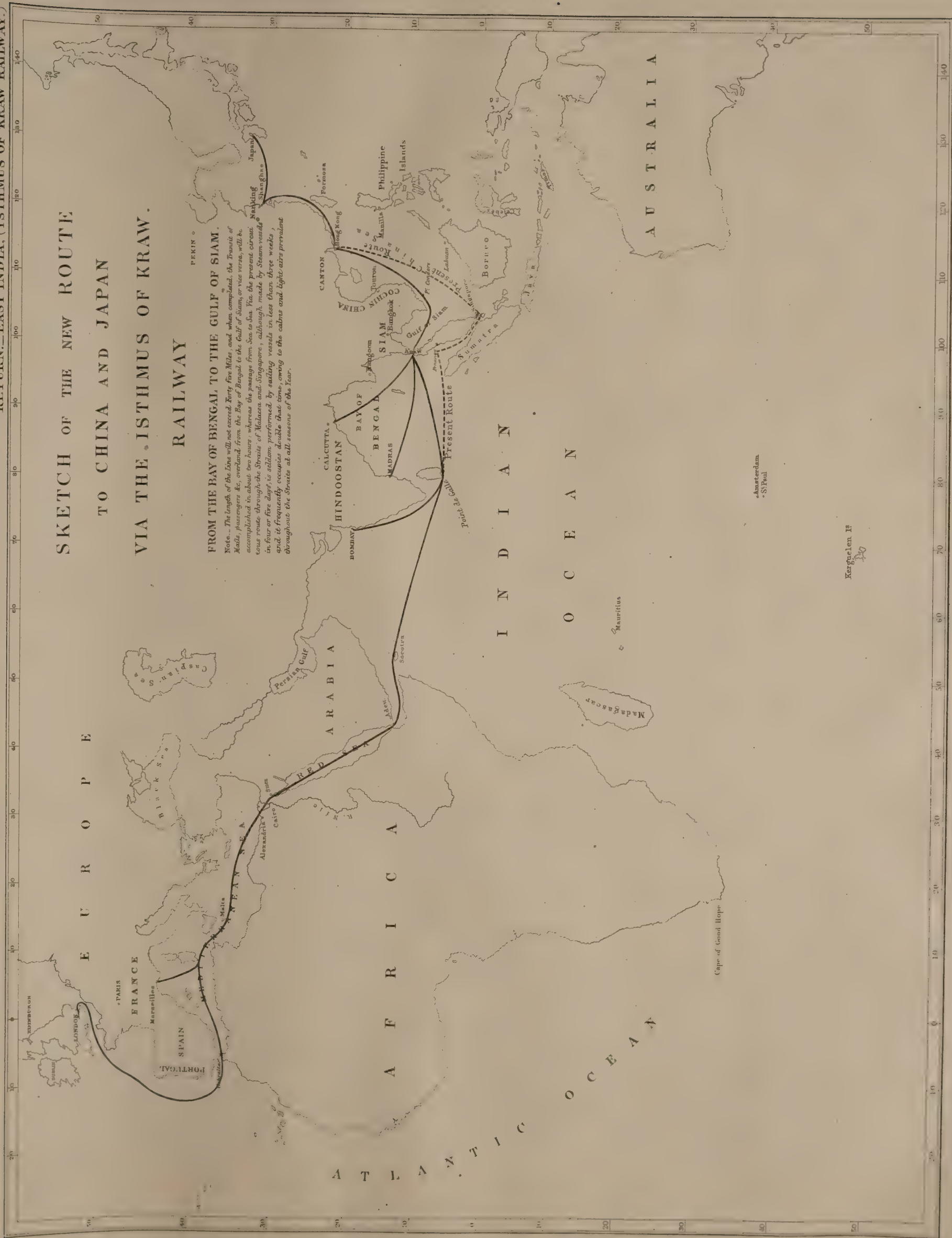
MEMORANDUM relating to the ISTHMUS of KRAW RAILWAY.

THE direction of the line, commencing on the south bank of the Pak-Chan River, in the Bay of Bengal, and terminating on that of the Champon River in the Gulf of Siam, will proceed southward of the road travelled by Major-general Tremenheere, who, in March 1843, when executive engineer of the Tenasserim Provinces, walked across the Isthmus. The line will nearly approach the track of land marked out by Sir Robert Schomburgk as the course of the proposed canal, and will run through a more level district than that visited by Major General Tremenheere. From the statements in that officer's report relative to the general features of the country in this part of the isthmus, and especially his reference to the alluvial plains of both the Pak-Chan and Champon Rivers, it is manifest that no obstacles of a physical nature exist, and, consequently, there are no engineering difficulties of any kind to prevent the line from being quickly and cheaply constructed.

"The entrance of the Pak-Chan River," Major General Tremenheere states, "is about two miles wide, affording ample room and deep water for the admission of ships of the largest burthen. For the first ten miles it is very slightly contracted in breadth, and has
little

RETURN.—EAST INDIA. (ISTHMI'S OF KRAW RAILWAY.)





little the character of a river, but of a capacious inlet of the sea. To this distance we carried not less than four fathoms water, but for the most part six and seven."

Major General Tremenheere, adverting to his interview with an officer of the Siamese Government on the south bank of the Champon, about five miles above the part where it flows into the Gulf of Siam, observes, "The river is about 180 yards broad, running through a level country over a sandy bed, free from obstructions, and with a rise and fall of tide of about six at the springs."

It appears by the plan which accompanies Major Tremenheere's report, that the Pak-Chan flows into the Bay of Bengal, is accessible at any time of tide, and affords secure, well sheltered anchorage, in both monsoons, to ships of the largest tonnage. This noble river separates the Siamese territories from the southern boundary of our Tenasserim provinces.

The British district of Malewan on the north bank of the Pak-Chan, is immediately opposite to the proposed western terminus of the railway. The climate of Malewan, Major General Tremenheere remarks, "more resembles that of Penang than any other part of the coast. It possesses a rich moist soil, highly favourable to the cultivation of sugar-cane, betel nut, nutmegs, &c." The Malewan district, with its headland, Point Victoria, being only two miles distant from the south bank of the Pak-Chan, on which the line commences, there is probably no sensible difference in the climate and soil of the two localities.

(signed) *Hy. Wise.*

Lloyd's, 29 December 1859.

Mr. Hammond to Mr. H. Wise.

Foreign Office, 2 January 1860.

I AM directed by Lord John Russell to acknowledge the receipt of your letter of the 29th ultimo, requesting that Her Majesty's Government will support your projected railway across Siamese territory to connect the Bay of Bengal with the Gulf of Siam, and I am to state to you, in reply, that Lord John Russell has forwarded your letter, and the papers by which it is accompanied, to the office of the Secretary of State for India.

Mr. J. C. Melvill to Mr. Wise.

India Office, E. C., 20 January 1860.

I AM directed by the Secretary of State for India in Council to acknowledge the receipt of your letter dated 29th ultimo, regarding your scheme for constructing a railway across the Isthmus of Kraw.

Sir Charles Wood has desired me, in reply, to state that Her Majesty's Government cannot fail to take a warm interest in an undertaking which would produce the advantages you expect from the connexion by railway of the Bay of Bengal with the Gulf of Siam. But I am desired to explain that the "support and encouragement" of Her Majesty's Government could not be given in the shape of any pecuniary contribution or guarantee.

(Foreign Department.—No. 65.)

EXTRACT LETTER from the Government of *India* to Sir *Charles Wood*,
dated 22 May 1862.

WE have the honour to forward a copy of a letter from the Commissioner of the Tenasserim and Martaban Provinces, dated 10 June 1861, submitting a report of a journey made by Captain Fraser and Captain Forlong across the Isthmus of Kraw, and a scheme for opening up communication with Bang-Kok and China by that route, instead of around the Malayan peninsula, together with a copy of our reply, addressed to the Chief Commissioner of British Burmah.

2. In 1858, Mr. E. O. Riley, deputy Commissioner in Pegu, proposed the construction of a canal across the Isthmus, but the time was considered inopportune for entering on such a project.

3. Captains Fraser and Forlong have now submitted an elaborate report on the expediency of making the Isthmus of Kraw the route of communication between the Bay of Bengal and the Eastern Seas. The construction of a ship canal they consider to be out of the question. The outlay would be too great. But they advocate the construction of a railway, which they think would probably cost less than any railroad in India.

4. Instead of the three lines which now run from Ceylon to Hong Kong, Calcutta to Hong Kong, and Calcutta to Moulmain, the route to be taken would be from Ceylon and Calcutta to Kraw by sea, across the Isthmus to Tayoung by rail, and from Tayoung to Hong Kong by steamer.

5. Exclusive of all incidental expenditure, it is calculated that the saving in fuel and establishments of steamers alone would be five lakhs a year. This saving of five lakhs represents the interest of a million sterling at five per cent.

6. The saving in time by the new route, it is calculated, would be great. Including stoppage in the straits, the present route from Ceylon to Hong Kong takes 349 hours; the proposed route would take only 293, including 12 hours across the Isthmus, thus saving 56 hours. The trade of Kraw, it is argued, would moreover be sufficient to pay for an extra steamer between Galle and Aden, and thus communication between Ceylon and Calcutta might be made weekly, twice a month, *viâ* Madras, and twice *viâ* Kraw.

7. The present route from Calcutta to Hong Kong takes 360 hours. That proposed, including stoppages, would take only 341, thus saving 19 hours; while, without stoppages, the direct line from Calcutta to Kraw would save 34 hours. For the transit across the Isthmus, it is proposed to take the goods, &c. up the Pak-Chan in flat boats, drawn by steam tugs to within a short distance of Kraw, and thence by a single line of railway to Tseeoompyoon and the Gulf of Siam. The whole cost of the railway, steamers, &c. would be about one-third of a million; while the saving on the present steamers represents a capital of a million.

8. The advantages to trade in cheapening Chinese goods, importation of Chinese labourers, opening up a country rich in minerals, &c., are dwelt on in the report. Political considerations are also urged in its favour.

9. So far as the present report goes, it is probable that the transit of the Isthmus, partly by water and partly by rail in the manner proposed, is the best mode of crossing the Isthmus. The statistics given as to the time that would be saved by the mode of transit are probably correct, or approximately so. The statistics, however, as to pecuniary saving and pecuniary profits are, in our opinion, unsound.

10. It is, however, quite possible that the construction of the line might create a traffic at Siam and elsewhere, which might repay itself. This is the legitimate source to which to look for profit, and payment of interest upon the capital expended. The statistics, however, on this point are deficient, or, it may be said, are not given at all.

11. The indirect advantages of opening out the resources of the country, and improving its condition, would weigh more strongly if the country were ours, and we should reap the benefit of improvements; but the bulk of the country through which the railway will pass, the whole of that through which the canal will pass, is not ours; whose it is, is not so clear. It is nominally under Siamese authority, but the political relations between the Siamese and the local chiefs are very undefined.

12. The Chief Commissioner has been told that we were fully alive to the importance of any practicable scheme, having for its object the extension of trade with China and Siam. But that, with the information at present before us, as to the political condition of Western China, and with imperfect information as to the practicability and commercial advantages of the proposed scheme for crossing the Isthmus of Kraw, we should not at present be justified in incurring any expenditure on the scheme. Still we have desired that every available opportunity should be taken to obtain a knowledge of the advantages of the scheme proposed, and of any circumstances which may recommend it to the consideration of Government.

EXTRACT Letter from Lieutenant Colonel *A. Fytche*, Commissioner Tenasserim and Martaban Provinces, to the Secretary to the Government of *India*, Foreign Department, dated 10 June (No. 116) 1861.

1. **ALTHOUGH** in the existent aspect of European affairs, the present may not seem a propitious juncture for introducing the subject of these remarks, but it nevertheless appears to me that the question calling for decision is of sufficient importance to warrant immediate attention.

2. During my tour on circuit to the provinces of Tavoy and Mergui, in the months of March and April last, I proceeded as far as the Pak-Chan river, our southernmost boundary between the Tenasserim Provinces and Siamese territory, ascending the stream to a distance of fifteen miles. While engaged on my own duties on the right or northern bank of the river, Captain Fraser, of the Bengal Engineers, superintendent of the Alguada Reef light-house, and Captain Forlong, executive engineer of these Provinces, who had accompanied me in prosecution of their own particular duties, availed themselves of the occasion to explore the direct route from the village of Kraw to the port of Tayoung, on the Gulf of Siam, a distance of only thirty miles, and lying in about the same parallel, this neck of land being denominated the Isthmus of Kraw, and the narrowest portion of the strip of continent now generally known as the Malayan Peninsula.

3. It will be seen, with reference to their report and maps* which I have the honour to forward herewith, that there is no high land opposing difficulties to engineering skill to prevent the establishment of an easy means of communication between the Bay of Bengal and the Siamese Gulf, thereby not merely facilitating intercourse with Bang Kok, but opening a short route to the further east, which would soon become a highway of considerable traffic. For details and estimates of the proposed plan of communication, I refer to para. 19 of the Report. The idea of a ship canal being abandoned as involving too great an outlay, a line and mode of route is here recommended, which is far less obnoxious to the same objection.

* These maps are deposited in the Library of the House of Commons.

Report on the Route from the Mouth of the Pak-Chan to Kraw, and thence across the Isthmus of Kraw to the Gulf of Siam, by Captain *A. Fraser*, Bengal Engineers, and Captain *J. G. R. Forlong*, Executive Engineer, Tenasserim and Martaban Provinces.

1. THE steamer "Nemesis," with Lieutenant Colonel *A. Fytche*, Commissioner, Tenasserim and Martaban Provinces, anchored about 15 miles up the River Pak-Chan in five or six fathoms of water. The banks steep, and densely wooded, with a stream running between them of (here) about a mile in breadth.

1. Describes anchorage in the Pak-Chan.

2. Opening into the Mergui Archipelago opposite the south end of St. Matthew's Island, there are some six fathoms of water at low-water over the bar at the mouth, though vessels coming from the north, inside the islands, have to run some little way southernly to avoid an extensive spit of sand which runs partly across the entrance to the river.

2. Describes mouth of river.

3. On the one side, the right or British bank of the stream are the tin mines of Mulley-woon, which are, we believe, workable to any extent to which money and labour are procurable. On the other side are the tin mines of Kahnong worked by the Siam Government.

3. Mentions tin mines.

4. Collecting, on the evening of the 31st March, all the instruments necessary for a rough survey, a perambulator, compass, and aneroid, we left the steamer in a native boat with a flood tide, and proceeded up this river which forms the boundary between the British possessions in these provinces, and the Siamese territories. A fog came on, and we were obliged to anchor for some time. We arrived, however, at Kraw by 4 p.m. of the 1st April.

4. Arrive at Kraw, 1st April, proceeding up the river Pak-Chan, which forms the boundary between British and Siamese possessions.

5. Kraw is a Shan village of some 50 houses with a few Chinese inhabitants. The civil authority was absent, attending his superior at Tseoompyoon, the chief place of the district, and where a woondouk, a functionary equal in authority to our Deputy Commissioners, resided.

5. Describes Kraw.

6. At Kraw we rested the night in a good zayat, which had been prepared for the aforesaid chief civil authority who visits periodically his district on this the western side of his Majesty of Bang Kok's southern dominions. We had some difficulty in procuring means of locomotion in consequence of there being no one to give orders upon our wishes; but, just as we were starting, the next morning (2d April), with some four or five coolies we had managed to procure, an elephant made its appearance, and we were enabled to proceed a little more comfortably than we had anticipated.

6. Difficulty in procuring means of locomotion.

7. We commenced on the 2d April a route survey across a country which, we believe, is quite unknown to, and has never been traversed by, Europeans. There is a good level cleared road for the first two miles, and to the third mile it rises and passes along the right bank of the Kraw River. The forest on each side contained bamboos and trees, as mentioned in the plan. Up to a little short of the eighth mile, the road follows the course of the Kraw River, and the road is difficult; we had to wade for miles through the stream,

7. Commence surveying on the 2d April, and describes road from I—VIII. mile, with nature of forest.

which was not, however, more than ankle deep, falling every now and then over rocks, with banks about 20 or 30 feet high, and 40 feet apart. At this time the rain commenced and fell with little intermission till we returned to Kraw.

8. Arrive at the water-shed between Bay of Bengal and Gulf of Siam.

8. At the eighth mile we arrived at the water-shed of the country, a small grassy plain. The Kraw River runs hence west to join the Pak-Chan at Kraw, and a quarter of a mile further on, the river called the Bankren, joining the Tseoompyoon at Tasan ($1 \times \frac{1}{2}$ miles) flows to the Gulf of Siam on the east.

9. Describes Tasan 9½ miles from Kraw, and the further progress of the road to the 17th mile.

9. At Tasan is another zayat, similar to that at Kraw, with a few houses and dry cultivation, and we continued to cross and re-cross the Tseoompyoon river to the 10th mile. At 15½ miles, after crossing tributaries of small breadth, but steep banks, we got again to the Tseoompyoon, where it was some 200 feet wide, but of little depth. The jungle remained of the same character, and the nature of the country, as the path descended to the plains, passing through low but steep hills, was very similar to that on the ascent from Kraw to Tasan.

10. Describes Apay 17½ miles from Kraw. Rest the night; allude to the leeches.

10. At seven and a half miles we got to Apay, another zayat, and were glad to rest for the night; for, in addition to the walking over very rough ground, and for miles through the rivers, wet throughout, the rain had brought out the leeches, which attacked us most unmercifully. The first indication of their attacks was finding our trowsers covered with blood; our last resource was to tie the trowsers round the ankle, so as to prevent them getting inside; but even then, unless somebody was looking after us while engaged in taking angles, or reading the perambulator, we found one or two lodged in our necks if we stood still any time. The amount of blood these creatures take from one, before becoming aware of it, is really exhausting, and it is therefore desirable to warn others.

11. Describes road from Apay to Tseoompyoon thirty miles from Kraw), which place was reached at noon of the 3rd April.

11. The night was fine; the rain was reserved till daylight for our special benefit crossed a tolerably sized (80 feet) river just beyond Apay, and another at the 20th mile, a tributary of the Tseoompyoon. We came to the end of the hills at the 22d mile, and entered upon a fine open country, with patches of jungle and garden and paddy lands, capable of any amount of cultivation. At the 22d mile the hills stretched away to the southward and seemed to run east, parallel with our course, about a mile and a half to the northward, and, as we fancied, along the left bank of the Tseoompyoon river. At the 23d and 25th miles crossed another river of 120 feet in breadth, the margin of which was much cultivated, and we continued along (about half a mile from) the left bank of this river, which seems to be the Pat Klong, joining the Tseoompyoon near its mouth, to the 29th mile, after which, at a distance of 30 miles from Kraw, we re-crossed the Tseoompyoon, where it is about 200 feet broad, and arrived at the residence of the chief civil authority of this district, who received us most kindly, at about noon of the 3d April.

12. Describes Tseoompyoon, and mentions kindness of Governor. Rise and fall of tide of six feet.

12. Tseoompyoon is a large place of some 400 or 500 houses, with a water communication of 20 miles with the Gulf of Siam. We thought of continuing our journey down the stream the same day, but the heavy rain that fell was even more persuasive than the kind and polite old governor, who, as soon as we had made up our minds to remain till next morning, placed everything that weary travellers could require at our disposal, and ordered boats to be in readiness for us at 2 A.M. (4th April), when the ebb made.

There is a rise and fall of tide here of about six feet.

13. Describes water communication from Tseoompyoon to the Gulf of Siam.

13. Started at 2 A.M. of the 4th April, and proceeded down a very winding stream to the mouth of the river opening into the Gulf of Siam, where we arrived at 5½ A.M., or in about 3½ hours with the tide. Here we landed and found a fine villa, in some disrepair, which was said to be the king's residence when he came to this part of his dominions. His steamers were said to come in two days from Bang-Kok, and fuel (billets of wood) in quantities (about 20,000 pieces) was collected. There was a schooner, of about 150 tons, lying off the shore at about 50 yards distance in five fathoms of water, but there is a bar, above where the schooner lay, across the mouth of the river Tseoompyoon, with only 1½ fathom over it at low water. There would be no difficulty in making wharfs for large ships, and, so far as we could observe, there would be no difficulty in making roads from Tseoompyoon to this place. We found stone houses here with a couple of 32-pounder cannonades, belonging, we supposed, to the king's steamers, though we asked no questions about them. From the general appearance of the buildings, &c., we think it is a place not open to severe storms or heavy sea, and this is confirmed by an extract from Commander Richard's "Gulf of Siam,"* taken from the Bang-Kok Calendar, stating that "heavy gales are unknown in the gulf." But with a view to establishing a communication across the Isthmus of Kraw, it would be necessary accurately to determine several points which would render such communication practicable with reference to the Gulf of Siam, as we had ascertained in regard to our own side, but which the time and commissariat at our disposal prevented us doing satisfactorily, as we did not wish to exhibit a curiosity by asking too many questions, which might have proved offensive to a friendly power. We made the distance from Tseoompyoon to the sea shore 21 miles, making the total distance from Kraw to the shore of the gulf about 50 miles.

* Mouth of Tseoompyoon, Gulf of Siam, not open to gales, but further inquiry necessary. Total distance from Kraw to the shores of the gulf, fifty miles.

14. Return to Tseoompyoon and Apay (4th April) describes Tayoung.

14. At 7½ A.M. (4th April) we returned to Tseoompyoon, surveying the river roughly, and passing Tayoung about four miles from the mouth, a short distance up a creek that here falls into the Tseoompyoon. We were told two vessels of some 200 tons were loading at this place. Tayoung is large, said to be of some 200 houses, though we had not time to land, as we wished to get back to Apay this night.

15. We arrived at Tseompyoon at 10½ A.M., and after much civility, which we hereby acknowledge, from Paja Teet, the governor, who provided us with two more elephants, we started on our return through heavy rain; slept at Apay this night (4th April), got to Kraw the next day (5th) at 4 p.m.; passing through the streams which had swollen a little from the heavy rain, the commencement of the monsoon; went straight on board our boat; tested the correctness of the survey of the Pakchan (hereto annexed), said to have been executed by an officer of the "Ganges" steamer which, some 15 years ago, was employed in conveying Captain Durand on an expedition up this river to settle a boundary question; and, anchoring for the night, arrived next day at noon on board the "Nemesis."

15. Return journey more comfortable through civility of Governor. Arrive at Kraw, 5th April. Test correctness of accompanying survey of Pakchan river, and get on board "Nemesis" again 6th April.

15½. On the route from Kraw to Tseompyoon we were struck with a remarkable change of geological series. We had observed, as we emerged on the plains of Tseompyoon, very marked-looking abrupt hills, which being accustomed to in the limestone islands of the Mergui Archipelago, we concluded were of the same group, but which, on closer examination, turned out to be sedimentary rocks of either the secondary or primary series. Captain Forlong inclines to think the latter, or old red sandstone; the dip was 50° running north-east by north. We were unable to collect specimens worthy of being forwarded. All the islands of the gulf that we could see seemed of the same formation, worn into smooth rounded tops, but with perpendicular sides. Some of the layers were as fine as thread, although generally half inch thick, and all abounded in pebbles, and what Captain Forlong believes to be minute fossils.

15½. General remarks on the geological features.

The rocks across the Pass were mostly a quartzose sandstone.

16. It seemed, from our somewhat rough survey of the route, so manifest, that a communication might be established with little comparative expenses across this narrow neck of land, thus connecting the Bay of Bengal with the China Sea by a route which would avoid the long, dangerous, and circuitous route by the Straits of Malacca, that we thought it worth while to enter into a few calculations by which might be shown in figures the comparative advantages of the two routes. The following is the result; one which, to our minds, makes a further examination of the new proposed route worthy of immediate consideration by our Government in communication with that of Siam, as likely to prove of advantage to each in particular and of enormous value to commerce, and the travelling would in general, as a means of relieving them to a great extent of the enormous steam charges which keep up the prices of the goods which form the staples of trade between Europe, India, and China, and render travelling almost prohibitive, of opening up a new and interesting country to the geologist and the botanist, and of introducing a hardy and hard-working population (the Chinese) into provinces which contain mineral wealth in known and unknown quantities; wealth which merely requires labour to develop to any extent, and to which the Chinese already attracted, even now find their weary way, but who would gather in large numbers now that the new treaty allows them to emigrate with their families, and were a safe and speedy route open to them. Much and valuable information regarding the great mineral wealth of these provinces may be found in the interesting papers of Colonel Tremenheere, Bengal Engineers, Professors Helfer and Oldham.

16. General remarks on comparative value of the routes *via* Singapore and *via* Kraw.

17. The Tables annexed, I., II., and III. show the economy of fuel, establishment, and time which would be arrived at by establishing easy communication across the Isthmus. A canal we consider out of the question, a railroad not only quite practicable, but likely to cost less per mile than any other in India.

17. Shows by tables the comparative cost of present and proposed routes.

1st. Table I. exhibits the cost of the present line of steamers per month (without taking into consideration the expenses of idle vessels, or any incidental expenses whatever, merely the cost of fuel and establishment per trip for running steamers) as kept up by the P. and O. Company from Ceylon, *via* Singapore to Hong Kong - - - - -

Rs. a. p.

39,700 - -

Table II., the cost of the ditto kept up, we believe, by Messrs. Apcar & Co., direct from Calcutta to Hong Kong, *via* Singapore - - - - -

40,200 - -

Table III., the ditto of the ditto kept up by C. and B. S. N. Co., from Calcutta to Moumein, *via* Akyab and Rangoon - - - - -

11,900 - -

TOTAL cost of present arrangements per month - - -

91,800 - -

2d. Table I. shows again cost of a line running from Ceylon to Kraw, and from Gulf of Siam (Tayoung) to Hong Kong - - - - -

32,900 - -

Table II., the cost of a line from Calcutta, *via* Akyab, Rangoon, Moumein, Tavoy, Mergui, and Kraw, and thence per China line to Hong Kong - - - - -

17,300 - -

TOTAL cost of two lines which would answer all the purposes of the present three lines - - - - -

50,200 - -

1st. Table I.—Cost of route from Ceylon to Hong-Kong *via* Singapore, 39,700 rupees.

Table II.—Cost of line from Calcutta *via* Singapore to Hong Kong, 40,200 rupees.

Table III.—Cost of line from Calcutta *via* Akyab and Rangoon to Moumein, 11,900 rupees.

Total cost of present arrangements per mensem, 91,800 rupees.

Note.—The above total cost does not include other private steamers running from Calcutta round Singapore to Hong Kong.

Total cost per month of proposed arrangements, 50,200 rupees.

3d. Saving of five lacs per annum by Kraw, giving a capital of one million sterling.

3d. The saving, therefore, which would be derived by commerce and the travelling would, by establishing a communication across the Isthmus of Kraw (provided it be quick and efficient) by the mere calculation of saving of fuel and establishment of running steamers, will be represented by the sum of Rs. (91,800—50,200 =) 41,600 per mensem, or 4,99,200 rupees (4,99,200) per annum, which sum, at five per cent., would give a capital of 100 lakhs, or one million sterling.

4th. Further saving not calculated. See general Sketch Map accompanying.

4. The tables do not show, however, the vast further saving which would accrue by running two lines of steamers instead of three in the Bay of Bengal, and one line instead of two on the China side of the Siamese and Malay Peninsula; the reduction of number of steamers, the saving thereby of steamers lying idle while not running; the concentration of coal depôts; and many other incidental expenses, which, of course, increase according to number of lines running.

5th. More profitable to run through lines.

5. The tables, again, do not show what a vastly more profitable undertaking it would be to run one through line from Calcutta *viâ* Akyab, Rangoon, &c., to the Pakchan, and thence to China, instead of one line with a terminus *en l'air* at Moulmein, getting no traffic as compared with that which would open up to the through line, and another line direct from Calcutta to China, only touching at the Straits Settlements.

6th. Singapore and Netherlands, India, to keep up a steamer of their own.

6. The 12 millions trade (if positive, but which is probably only a transit trade) of Singapore, Malacca, and Penang, and the 14½ millions of Netherlands India could easily command a steamer of its own to run alternately on either side of the Malayan Peninsula, communicating with Kraw on the one side for the Bay of Bengal, and Tayoung on the Gulf of Siam on the other for China and Europe, as shown by dotted green line on the general sketch map.

It may occur to some that the cost of this steamer should be deducted from the saving calculated in 3d clause. We think not, but there is much more than sufficient for it, and we may place this cost against that of the other private steamers between Calcutta and Hong Kong *viâ* Singapore, not included in our calculations.

7th. Shows China steamer from Ceylon would save time *viâ* Kraw (41 hours); that by an extra steamer between Aden and Ceylon, a weekly communication with Calcutta would be established.

7. From Point de Galle to the five fathom anchorage in the Pakchan river, and from Tayoung, on the Gulf of Siam, to Hong Kong, Table I. shows to be 281 hours steam (more or less, does not matter for calculation, as same rate of steaming is taken for all), while the route, *viâ* Singapore, is shown to be 337 hours steam. We calculate, as hereafter shown, that the passage across the Isthmus of Kraw would not ordinarily occupy more than 12 hours, with a liberal allowance of time. We have, therefore, difference of time in favour of Kraw route = $(337 + 12) - (281 + 12) = 56$ hours (allowing for a stoppage of 12 hours in the Straits. This is of much importance when we hold in view the costly nature of the produce and goods conveyed. It has also long been a desideratum to have a weekly communication with England; but the immense cost of putting in four steamers per month from Calcutta to Aden has hitherto, we suppose, deterred the P. and O. Company, as they would thereby obtain no extra trade.

But supposing the communication through Kraw established, the extra trade that would be brought by the extension of the line of B. and C. Co.'s steam vessels to Kraw would pay for an extra steamer between Point de Galle and Aden, by means of which, by making it meet the Bombay Mail at Aden, and the bi-monthly steamers from Ceylon *viâ* Kraw, the communication between England and Calcutta would be weekly twice per month by the P. and O. Co.'s line, *viâ* Point de Galle and Madras, and twice by the vessels, *viâ* Kraw to Calcutta, thus providing for the whole of the eastern coast of the Bay of Bengal, *viâ* Kraw, as the P. and O. Co. does for its western coast, *viâ* Madras. The time from Ceylon to Calcutta, *viâ* Kraw (by the direct steamer as hereafter mentioned), would be as follows:—

	Hours.
Ceylon to Kraw - - - - -	126
Kraw to Calcutta - - - - -	102
	228

or 9½ days, nearly as quick as the route *viâ* Madras.

8th. 19 hours saved by the line *viâ* Calcutta, Akyab, Rangoon, &c., and Kraw to China over the route *viâ* Singapore; and 93 hours by a direct line from Calcutta to Kraw and China.

8. By Table II. including three hours stoppage at Akyab, 12 at Rangoon, 12 at Moulmein, three at Tavoy (Mamoogan), without going up the river, and three at Mergui (the trade of the two latter places being about five lakhs), the number of hours between Calcutta and Kraw by those places is shown to be $(143 + 33 =) 176$, while the further progress to China from Tayoung would be about 153 hours, or with 12 hours across the Isthmus of Kraw, a total distance of $(143 + 33 + 12 + 153 =) 341$ hours. The direct line of China steamers touching at Singapore would probably delay ordinarily six hours at Penang, and 12 at Singapore; this, added to the steam distance of 342 hours, per Table II., would give a total distance of 360 hours, making a difference in point of time in favour of the Kraw route, *viâ* Akyab, of 19 hours, while the latter picks up all the trade. The valuable goods (opium especially) and the mail from England might be sent by a single steamer running twice a month to and from Calcutta to Kraw; the cost of this steamer is shown in Table IV., and the capital for construction of railroad would be reduced to 700,000 l., much more than sufficient

sufficient, however. This arrangement of running a steamer direct to Kraw from Calcutta would beat the direct line to China, *viâ* Singapore, by 93 hours as follows:—

	Hours.
From Calcutta to Kraw - - - - -	102
„ Kraw to Tayoung - - - - -	12
„ Tayoung to Hong Kong - - - - -	153
Total - - -	267
From Calcutta to Singapore - - - - -	179
„ Stoppages - - - - -	18
„ Hong Kong - - - - -	163
Total - - -	360
Difference - - -	93

and would give a regular weekly communication with Calcutta as shown in last paragraph, while the line running *viâ* Akyab gives to the eastern coast of the Bay of Bengal all the advantages of early communication with home which its western coast enjoys *viâ* Madras.

But the steamers *viâ* Akyab should not have to go up the Rangoon and Moulmein rivers, by which means other 12 hours would be saved, making a total saving, even after touching at all the four ports (for Mergui would probably be moved to the Pakchan), of $(19 + 3 + 12 =)$ 34 hours over the Singapore line. Elephant Point and Amherst Point should be the respective ports of call for Rangoon and Moulmein, with telegraphic communication between those places and the capitals of Pegu and the Martaban and Tenasserim Provinces.

9. All the trade between Moulmein and the Straits, for which there is no better mode of carriage than junks and kattoos, and all the tin found on both sides of the Pakchan, in the Seneya River, and indeed all along the coast up to Yea, and which only requires capital and labour to develop to any extent, would be picked up at Kraw, while the labour for the tin mines of the Pakchan, and possibly for the coal mines of Mergui, could be imported direct from China. All the one and a half millions of the Bangkok trade, and that of the Malayan Peninsula on the eastern and western sides, would be intercepted at Tayoung and Kraw; all adjuncts which none of the present lines of steamers obtain, but which would go far to make them pay. Between Moulmein and Kraw, where the coast is profusely wooded, wood fuel might be used to increase profits or decrease expenses, should it take any time to develop the trade carrying on between Moulmein and Singapore. The cost of burning wood on this coast as compared with that of coal, is, as 1 to 10, taking the wood at 10 rupees per 1,000 billets, and coal at 25 rupees per ton, and assuming that 250 billets, four feet long, by four inches diameter, equal one hour's steam, or one ton of coal.

9th. Dilates on the advantages of adopting Kraw route with reference to trade.

18. It would answer no useful purpose to go into all the figures necessary to establish even an approximate estimate of the greater profits that would be assured to commerce and to steam companies by adopting the new lines herein proposed, instead of the present lines. It was only necessary to take three items—fuel, establishment, and time of actual running steamers, to prove our position; and if we can show that, by the saving of the two first of these items, we can establish a communication across the Isthmus of Kraw which shall also beat all present lines in point of the third and most valuable item, time, we think it unnecessary to examine into the contingent savings which, to any one who will give intelligent consideration of them, will manifestly appear enormous.

18. Considers that the proof of saving of fuel, establishment, and time, will be sufficient to establish value of Kraw route.

19. In the 3d clause of the 17th paragraph we have shown the saving in fuel and establishment of running steamers to be five lacs per annum, representing a capital of one million sterling. Can the communication by Kraw be established within this sum? If so, all the contingent savings and gain in time go to the profit of trade, as well as any difference between the cost of the said communication and the keeping it up. Our consideration of the subject of the communication across the Isthmus of Kraw has brought us to the following conclusions:—

19. Considers that if the communication by Kraw can be constructed under a million, all contingent savings go to benefit of trade; describes mode of transit from anchorage in Pakchan to Gulf of Siam.

1st. That there should be two or three tug steamers with long flat-bottomed boats to carry goods and passengers from the five-fathom anchorage of the large steamers, 26 miles up the River Pakchan, as shown in the sketch map of the Isthmus by the dotted green line, in which distance the river is no where less than one fathom at dead low-water spring tides, with a rise and fall of about 8 feet. Time, three hours towing.

1st. Two or three tug steamers and boats.

2d. At this point (*see* Plan) opposite the Namnoi river, a railway terminus and hotel, whence a railway will proceed, leaving Kraw to the north, by Tasan and Tseoompyoon to the shore of the Gulf of Siam. Distance, 50 miles; time, three hours.

2nd. Rail, terminus, and hotel on Kraw side.

3d. Another terminus and hotel, gulf side. Total time for crossing isthmus, 12 hours.

4th. Line single; only one centre station.

5th. Description of boats for river service and carriages for rails and mode of using them.

6th. Our survey rough, careful one necessary.

7th. Only require plant, permanent way, and rolling stock from England.

8th. Gives estimate of rail and river service.

20. Are of opinion that steamers will take all competition by sailing vessels off the field.

21. Suggests how new lines of steamers may be formed.

3d. Allow other six hours for discharging in the Pakchan, and loading at Tayoung on the Gulf of Siam side, where there should be another railway terminus and hotel. Total time, 12 hours, which is more than that required by P. and O. Co., at Suez, on whose arrangements we will suggest further improvements.

4th. There need be only one station in the centre of the line where the rails should be double on either side for the distance of about one mile to allow of trains passing; the remainder of the line may be single, as the Suez line.

5th. The boats of 8 or 10 tons for the river service should form the bodies of the carriages for the railroad service. Patent slips being formed at the Kraw terminus (and, if necessary, also in the Gulf of Siam shore), up which the loaded boats may be dragged on their own wheels, which could form the slip cradles, and the boats could be tacked on to the engine and proceed to the other side without any delay. The arrangements of the boats for goods and passengers is a matter of detail easily managed. There is no reason why a carriage should not be in the form of a boat, especially when time is saved in loading and unloading, and expense in rolling stock.

These boats would be at the anchorage ready for the steamers as they came in from the north; when loaded, be towed up to the railway terminus, dragged up the slips, and taken off at once per rail to Tayoung, where there should be a wharf, &c.; the China steamers to lie alongside if there be water enough; if not, the carriages should be launched at once into the sea and sent to the steamers.

6th. We would here observe again that our survey was rough, that we merely passed along the native line (which is well defined, but in many places in the beds of rivers) with perambulator, compass, and aneroid; that our aneroid showed no height above the sea of more than 75 feet; and that our route presented no obstacle of engineering difficulty beyond dips to nullahs, ordinarily 20 or 30 feet wide, with some three or four rivers, from 100 to 200 feet wide, but a careful survey would be necessary.

7th. We would, however, recommend very little masonry, though lime and fuel for bricks are in abundance, but the vast and inexhaustible forests through which the line passes are full of timber suitable for sleepers, for bridges, for stations, and wharves, and for fuel for the locomotives. All that would be required from England would be plant, permanent way, and rolling stock; the labour for the work being procurable from China to any amount.

	£.
8. We will double what, in our own somewhat experienced minds, would be the cost of such a railroad across the Isthmus, and put down the amount at 5,000 £. per mile, including stations, wharves, hotels, coal sheds, &c., &c., and rolling stock, or for 50 miles of rail - - - - -	250,000
For the river service three tug steamers, with all the advantages of disconnecting engines, towing with a single hawser, &c., which the Thames' tugs possess, at 15,000 £. each - - - - -	45,000
Twelve coal barges, at 800 £. - - - - -	9,600
Contingencies, including buoying river, at 50 per cent. - - - - -	27,300

Total - - - 331,900

or say one-third of a million sterling. But there is the interest on a capital of one million of money saved every year in fuel and establishment of running steamers alone; surely it must be worth while to expend one-third of such a capital in establishing this communication.

20. We therefore think that, without reference to the dangerous navigation, the Straits' line should be abandoned as a communication between India and Europe, and China, as the old Cape of Good Hope line was abandoned for the Suez line. Considering, however, the difficulties of the Straits' navigation, and the peculiarities of the China sea, the steamers would probably do all the work, and take sailing vessels off the field, which they can't do now, because the present charges upon steamers are so heavy, and which will be modified by adopting the Kraw route.

21. The extra service required to give a weekly mail to Calcutta, by a single extra steamer running twice a month between Aden and Point de Galle, might be well undertaken by the P. and O. Company, as well as the whole service (by a larger class of steamer, however, on the China side than that at present employed) between Ceylon and Kraw, and the gulf of Siam and Hong-Kong.

The companies running the direct lines of steamers between Calcutta and Hong-Kong, *viâ* Singapore, and the line between Calcutta, *viâ* Akyab, &c., and Moulmein might, advantageously to themselves and to the public, amalgamate and run one steamer twice a month direct to Kraw, to meet China and Europe steamers returning direct to Calcutta, and two from Calcutta *viâ* Akyab, Rangoon, and Moulmein, to Kraw, returning *viâ* those ports. The railway should be a separate company, and there should be a condition in their contract (which would scarcely require a guarantee) to that effect.

22. With

22. With these arrangements carried out, we may incidentally mention that the telegraph, instead of being submarine from Rangoon, should be carried along the coast from Moulmein, with a junction with the railway telegraph at Kraw, and also a junction with the Rangoon and Tounghoo telegraph at Seetang, thus giving another line of telegraphic communication with Calcutta, by which English news and China news may be transmitted from Kraw.

22. Telegraph wire to be carried along coast from Moulmein, and not by submarine cable.

23. The arrangements which might be made with the Government of Siam for the grant of land, &c., has not formed a subject for our discussion, as, with the present liberal-minded and far-seeing monarch on the throne of Bangkok, to whom the advantages which must result to himself and his people by carrying out this project will be at once obvious, we see no difficulty on these points.

23. See no difficulty in arranging a project of this kind with Siam.

24. We have thus laboured to prove (and we think have done so satisfactorily), that as a mere speculation, the construction of a railway across the Isthmus of Kraw will be profitable; that the communication may be established for one-third of the capital, the interest of which is now being expended yearly on mere fuel and establishment of running steamers, and that a vast amount of time will be saved over present routes; of the political bearings of the subject, we have said nothing; but, holding in view that the line from Ceylon to Cochin China is nearly straight, we are convinced that, if Great Britain does not take it in hand, France must, with every chance of a profitable opposition to the P. and O. Company in their line with Europe to Calcutta *via* Madras.

24. If Great Britain neglects this line, France must take it up.

Tavoy, Tenasserim,
26 April 1861.

(signed) *Alex. Fraser*, Captain,
Bengal Engineers.
J. G. R. Forlong, Captain,
Ex. Engr., Tenasserim Provinces.

TABLES of Great Sea Routes from *Ceylon to China and Calcutta*, and *vice versa*.

See Report on the communication by the Isthmus of Kraw, by Captain Fraser and Forlong.

Tables.	ROUTES: Two steamers starting per month, on all lines.	DISTANCES IN MILES.								No. of hours steam.	No. of tons coal burnt.	Cost of fuel.	Cost of Establishment.	Total cost of steamer per trip.	Cost of four trips per month.	SAVING.		
		Singapore.	Akyab.	Rangoon.	Moulmein.	Tavoy.	Mergui.	Kraw.	Hong Kong.							TOTAL.	Cost per month.	Time per trip.
I.	Ceylon <i>via</i> Singa- pore to Hong Kong.	1,570	-	-	-	-	-	-	1,470	3,040	337	337	8,425	1,500	9,925	39,7 0	Rs.	Hours.
	Ceylon <i>via</i> Kraw to Hong Kong.	-	-	-	-	-	-	1,150	1,380	2,530	281	281	7,025	1,200	8,225	32,900		
II.	Calcutta <i>via</i> Singa- pore to China.	1,610	-	-	-	-	-	-	1,470	3,080	342	342	8,550	1,500	10,050	40,200	22,900	19*
	Calcutta <i>via</i> Akyab, Rangoon, Moul- mein, Tavoy, Mergui and Kraw.	-	280	480	120	150	110	150	-	1,290	143	143	3,575	750	4,325	17,300		
III.	Calcutta <i>via</i> Akyab and Rangoon to Moulmein.	-	280	480	120	-	-	-	-	880	98	98	2,450	525	2,975	11,900	11,900	A
	Total Savings per month - - - Rs.															41,600 12		
IV.	Calcutta to Kraw direct, one steamer twice per month.	See 3d Clause, paragraph 17 of Report „ „ per annum - - - „															5,00,000	5 lakhs nearly
		Saving per annum, after deduction of cost of above line from Saving A.—See 8th Clause, para. 17															29,600 12	93* *Hours.
		Saving per annum, after deduction of cost of above line from Saving A.—See 8th Clause, para. 17															35,000	3½ lakhs nearly

In cost of Establishments, time for stoppages is included.

In cost of Establishments, time for stoppages is included.

* By leaving out Mergui, and establishing telegraphic communication between Rangoon and Elephant Point, and Amherst and Moulmein, the saving of 19 hours may be increased to 34 hours.—See 8th Clause, 17th paragraph of Report.

Dated Tavoy, 26 April 1861.

(signed) *Alex. Fraser*, Captain,
Bengal Engineers,

(signed) *J. G. R. Forlong*, Captain,
Ex. Engineer, Tenasserim Provinces.

Exd.—*C. E. Groser*.

From Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department, to the Chief Commissioner, British Burmah (No. 377), dated 22d April 1862.

Sir,

I AM directed to reply to the letter from the Commissioner, Tenasserim and Martaban Provinces, No. 116, dated 10th June last, forwarding a Report of a journey made by Captain Fraser and Captain Forlong across the Isthmus of Kraw, and a scheme for opening up communication with Bangkok and China by that route, instead of round the Malayan Peninsula.

2. The Governor General in Council is fully alive to the importance of any practicable scheme, having for its object the extension of trade with China and Siam. But with the information at present before him, as to the political condition of Western China, and with imperfect information as to the practicability and commercial advantages of the proposed scheme for crossing the Isthmus of Kraw, the Governor General in Council would not at present be justified in incurring any expenditure on the scheme. Still His Excellency in Council desires that every available opportunity be taken to obtain a knowledge of the advantages of the scheme proposed, and of any circumstances which may recommend it to the consideration of Government.

RETURN to an Address of the Honourable The House of Commons,
dated 22 June 1863;—for,

A “COPY of an ACT passed by the Council of the Governor General of India, ‘to enable the Government to divest itself of the Management of RELIGIOUS ENDOWMENTS.’”

India Office, }
23 June 1863. }

J. HAWKINS,
Secretary, Judicial Department.

ACT No. XX. OF 1863.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the Assent of the Governor General on the 10th March 1863.)

AN ACT to enable the Government to divest itself of the Management of
RELIGIOUS ENDOWMENTS.

WHEREAS it is expedient to relieve the Boards of Revenue, and the Local Agents, in the Presidency of Fort William, in Bengal, and the Presidency of Fort Saint George, from the duties imposed on them by Regulation XIX. 1810, of the Bengal Code (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindoo temples, colleges, and other purposes; for the maintenance and repair of bridges, serays, kuttras, and other public buildings; and for the custody and disposal of Nuzzool property or escheats*), and Regulation VII. 1817, of the Madras Code (*for the due appropriation of the rents and produce of lands granted for the support of mosques, Hindoo temples, and colleges or other public purposes; for the maintenance and repair of bridges, choultries, or chuttrums, and other public buildings; and for the custody and disposal of escheats*), so far as those duties embrace the superintendence of lands granted for the support of mosques or Hindoo temples, and for other religious uses; the appropriation of endowments made for the maintenance of such religious establishments; the repair and preservation of buildings connected therewith, and the appointment of trustees or managers thereof; or involve any connexion with the management of such religious establishments; and whereas it is expedient for that purpose to repeal so much of Regulation XIX. 1810, of the Bengal Code, and Regulation VII. 1817, of the Madras Code, as relate to endowments for the support of mosques, Hindoo temples, or other religious purposes; it is enacted as follows:—

I. So much of Regulation XIX. 1810, of the Bengal Code, and so much of Regulation VII. 1817, of the Madras Code, as relate to endowments for the support of mosques, Hindoo temples, or other religious purposes, are repealed. Regulations repealed.

II. In this Act words importing the singular number shall include the plural, and words importing the plural number shall include the singular. Number.

Words importing the masculine gender shall include females. Gender.

The words “Civil Court” and “Court” shall mean the principal Court of Original Civil Jurisdiction in the district in which the mosque, temple, or religious establishment is situate, relating to which, or to the endowment whereof, any suit shall be instituted or application made under the provisions of this Act. “Civil Court,” and “Court.”

Local Government to make special provision respecting Mosques, &c., in certain cases.

III. In the case of every mosque, temple, or other religious establishment to which the provisions of either of the Regulations specified in Section I. are applicable, and the nomination of the trustee, manager, or superintendent whereof, at the time of the passing of this Act, is vested in, or may be exercised by, the Government, or any public officer; or in which the nomination of such trustee, manager, or superintendent shall be subject to the confirmation of the Government, or any public officer, the local Government shall, as soon as possible after the passing of this Act, make special provision as hereinafter provided.

Transfer to independent trustees, &c., of all property belonging to their trusts, &c., remaining in charge of Revenue Board, or others.

IV. In the case of every such mosque, temple, or other religious establishment which, at the time of the passing of this Act, shall be under the management of any trustee, manager, or superintendent, whose nomination shall not vest in, nor be exercised by, nor be subject to the confirmation of, the Government, or any public officer, the local Government shall, as soon as possible after the passing of this Act, transfer to such trustee, manager, or superintendent, all the landed or other property which, at the time of the passing of this Act, shall be under the superintendence or in the possession of the Board of Revenue, or any local agent, and belonging to such mosque, temple, or other religious establishment, except such property as is hereinafter provided; and the powers and responsibilities of the Board of Revenue, and the local agents, in respect to such mosque, temple, or other religious establishment, and to all land and other property so transferred, except as regards acts done and liabilities incurred by the said Board of Revenue, or any local agent, previous to such transfer, shall cease and determine.

Procedure in case of dispute as to right of succession to vacated trusteeship, &c.

V. Whenever from any cause a vacancy shall occur in the office of any trustee, manager, or superintendent, to whom any property shall have been transferred under the last preceding section, and any dispute shall arise respecting the right of succession to such office, it shall be lawful for any person interested in the mosque, temple, or religious establishment, to which such property shall belong, or in the performance of the worship or of the service thereof, or the trusts relating thereto, to apply to the Civil Court to appoint a manager of such mosque, temple, or other religious establishment, and thereupon such Court may appoint such manager, to act until some other person shall by suit have established his right of succession to such office. The manager so appointed by the Civil Court shall have, and shall exercise, all the powers which, under this or any other Act, the former trustee, manager, or superintendent, in whose place such manager is appointed by the Court, had or could exercise, in relation to such mosque, temple, or religious establishment, or the property belonging thereto.

Rights, powers, and responsibilities of trustees, &c., to whom any charge shall be transferred.

VI. The rights, powers, and responsibilities of every trustee, manager, or superintendent, to whom the land and other property of any mosque, temple, or other religious establishment is transferred in the manner prescribed in Section IV. of this Act, as well as the conditions of their appointment, election, and removal, shall be the same as if this Act had not been passed, except in respect of the liability to be sued under this Act, and except in respect of the authority of the Board of Revenue and local agents, given by the regulations hereby repealed, over such mosque, temple, or religious establishment, and over such trustee, manager, or superintendent, which authority is hereby determined and repealed. All the powers which might be exercised by any Board or local agent for the recovery of the rent of land or other property transferred under the said Section IV. of this Act may, from the date of such transfer, be exercised by any trustee, manager or superintendent to whom such transfer is made.

Appointment of committees.

VII. In all cases described in Section III. of this Act, the local Government shall once for all appoint one or more committees in every division or district to take the place, and to exercise the powers, of the Board of Revenue and the local agents under the regulations hereby repealed. Such committee shall consist of three or more persons, and shall perform all the duties imposed on such Board and local agents, except in respect of any property which is specially provided for under Section XXI. of this Act.

Provision as to qualifications for member of such committee.

VIII. The members of the said committee shall be appointed from among persons professing the religion for the purposes of which the mosque, temple,

or

or other religious establishment, was founded, or is now maintained, and in accordance, so far as can be ascertained, with the general wishes of those who are interested in the maintenance of such mosque, temple, or other religious establishment. The appointment of the committee shall be notified in the official Gazette. In order to ascertain the general wishes of such persons, in respect of such appointment, the local Government may cause an election to be held, under such rules (not inconsistent with the provisions of this Act) as shall be framed by such local Government.

IX. Every member of a committee appointed as above shall hold his office for life, unless removed for misconduct or unfitness, and no such member shall be removed except by an order of the Civil Court as hereinafter provided.

Every member to be appointed for life, unless removed for misconduct, &c.

X. Whenever any vacancy shall occur among the members of a committee appointed as above, a new member shall be elected to fill the vacancy, by the persons interested as above provided. The remaining members of the committee shall, as soon as possible, give public notice of such vacancy, and shall fix a day, which shall not be later than three months from the date of such vacancy, for an election of a new member by the persons interested as above provided, under rules for elections which shall be framed by the local Government, and whoever shall be then elected, under the said rules, shall be a member of the committee to fill such vacancy. If any vacancy as aforesaid shall not be filled up by such election as aforesaid within three months after it has occurred, the Civil Court, on the application of any person whatever, may appoint a person to fill the vacancy, or may order that the vacancy be forthwith filled up by the remaining members of the committee, with which order it shall then be the duty of such remaining members to comply, and if this order be not complied with, the Civil Court may appoint a member to fill the said vacancy.

Provision for filling up vacancies.

XI. No member of a committee appointed under this Act shall be capable of being, or shall act also as a trustee, manager, or superintendent of the mosque, temple, or other religious establishment, for the management of which such committee shall have been appointed.

No member of a committee to be trustee, &c., of the mosque, &c., under charge of such committee.

XII. Immediately on the appointment of a committee as above provided, for the superintendence of any such mosque, temple, or religious establishment, and for the management of its affairs, the Board of Revenue, or the local agents acting under the authority of the said Board, shall transfer to such committee all landed or other property which at the time of appointment shall be under the superintendence, or in the possession of the said Board or local agents, and belonging to the said religious establishment, except as is hereinafter provided for, and thereupon the powers and responsibilities of the Board and the local agents, in respect to such mosque, temple, or religious establishment, and to all land and other property so transferred, except as above, and except as regards acts done and liabilities incurred by the said Board or agents previous to such transfer, shall cease and determine. All the powers which might be exercised by any Board or local agent, for the recovery of the rent of land or other property transferred under this section, may from the date of such transfer be exercised by such committee to whom such transfer is made.

On appointment of committee, Board and local agents to transfer property.

XIII. It shall be the duty of every trustee, manager, and superintendent of a mosque, temple, or religious establishment to which the provisions of this Act shall apply, to keep regular accounts of his receipts and disbursements, in respect of the endowments and expenses of such mosque, temple, or other religious establishment; and it shall be the duty of every committee of management, appointed or acting under the authority of this Act, to require from every trustee, manager, and superintendent of such mosque, temple, or other religious establishment, the production of such regular accounts of such receipts and disbursements at least once in every year, and every such committee of management shall themselves keep such accounts thereof.

Accounts of receipts and disbursements.

XIV. Any person or persons interested in any mosque, temple, or religious establishment, or in the performance of the worship or of the service thereof, or the trusts relating thereto, may, without joining as plaintiff any of the other persons interested therein, sue before the Civil Court the trustee, manager, or superintendent of such mosque, temple, or religious establishment, or the member of any committee appointed under this Act, for any misfeasance,

Any person interested, may sue in case of breach of trust, &c.

breach of trust, or neglect of duty committed by such trustee, manager, superintendent, or member of such committee, in respect of the trusts vested in, or confided to them respectively, and the Civil Court may direct the specific performance of any act by such trustee, manager, superintendent, or member of a committee, and may decree damages and costs against such trustee, manager, superintendent, or member of a committee, and may also direct the removal of such trustee, manager, superintendent, or member of a committee.

Nature of interest entitling a person to sue.

XV. The interest required in order to entitle a person to sue under the last preceding section, need not be a pecuniary or a direct or immediate interest, or such an interest as would entitle the person suing to take any part in the management or superintendence of the trusts. Any person having a right of attendance, or having been in the habit of attending, at the performance of the worship or service of any mosque, temple, or religious establishment, or of partaking in the benefit of any distribution of alms, shall be deemed to be a person interested within the meaning of the last preceding section.

Reference to arbitrators.

XVI. In any suit or proceeding instituted under this Act, it shall be lawful for the Court before which such suit or proceeding is pending, to order any matter in difference in such suit to be referred for decision to one or more arbitrators. Whenever any such order shall be made, the provisions of Chapter VI. of the Code of Civil Procedure shall in all respects apply to such order and arbitration, in the same manner as if such order had been made on the application of the parties under Section 312 of the said Code.

Reference under section 312 of Civil Procedure Code.

XVII. Nothing in the last preceding section shall prevent the parties from applying to the Court, or the Court from making the order of reference, under the said Section 312 of the said Code of Civil Procedure.

Preliminary application for leave to institute suit.

XVIII. No suit shall be entertained under this Act without a preliminary application being first made to the Court for leave to institute such suit. The application may be made upon unstamped paper. The Court, on the perusal of the application, shall determine whether there are sufficient *prima facie* grounds for the institution of a suit, and if in the judgment of the Court there are such grounds, leave shall be given for its institution. In calculating the costs at the termination of the suit, the stamp duty on the preliminary application shall be estimated, and shall be added to the costs of the suit. If the Court shall be of opinion that the suit has been for the benefit of the trust, and that no party to the suit is in fault, the Court may order the costs, or such portion as it may consider just, to be paid out of the estate.

Costs.

Court may require accounts of trust to be filed.

XIX. Before giving leave for institution of a suit, or after leave has been given, before any proceeding is taken, or at any time when the suit is pending, the Court may order the trustee, manager, or superintendent, or any member of a committee, as the case may be, to file in Court the accounts of the trust, or such part thereof as to the Court may seem necessary.

No civil suit to bar proceedings for criminal breach of trust.

XX. No suit or proceeding before any civil court under the preceding sections shall in any way affect or interfere with any proceeding in a criminal court for criminal breach of trust.

Provision for cases in which the endowments are partly for religious and partly for secular purposes.

XXI. In any case in which any land or other property has been granted for the support of an establishment partly of a religious and partly of a secular character, or in which the endowment made for the support of an establishment is appropriated partly to religious and partly to secular uses, the Board of Revenue, before transferring to any trustee, manager, or superintendent, or to any committee of management appointed under this Act, shall determine what portion, if any, of the said land or other property shall remain under the superintendence of the said Board for application to secular uses, and what portion shall be transferred to the superintendence of the trustee, manager, or superintendent, or of the committee, and also what annual amount, if any, shall be charged on the land or other property which may be so transferred to the superintendence of the said trustee, manager, or superintendent, or of the committee, and made payable to the said Board or to the local agents, for secular uses as aforesaid. In every such case the provisions of this Act shall take effect only in respect to such land and other property as may be so transferred.

XXII. Except

XXII. Except as provided in this Act, it shall not be lawful after the passing of this Act, for any Government in India, or for any officer of any Government in his official character, to undertake or resume the superintendence of any land or other property granted for the support of, or otherwise belonging to, any mosque, temple, or other religious establishment, or to take any part in the management or appropriation of any endowment made for the maintenance of any such mosque, temple, or other establishment, or to nominate or appoint any trustee, manager, or superintendent thereof, or to be in any way concerned therewith.

Government not to hold charge henceforth of property for support of any mosque, temple, &c.

XXIII. Nothing in this Act shall be held to affect the provisions of the regulations mentioned in this Act, except in so far as they relate to mosques, Hindoo temples, and other religious establishments; or to prevent the Government from taking such steps as it may deem necessary, under the provisions of the said regulations, to prevent injury to and preserve buildings remarkable for their antiquity, or for their historical or architectural value, or required for the convenience of the public.

Effect of Act in respect of regulations therein mentioned, and of buildings of antiquity, &c.

XXIV. The word "India" in this Act shall denote the territories which are or may become vested in Her Majesty by the statute 21 & 22 Vict., c. 106, entitled, "An Act for the better Government of India."

India.

EAST INDIA (RELIGIOUS ENDOWMENTS).

COPY of an Act passed by the Council of the Governor General of *India*, "to enable the Government to divest itself of the Management of RELIGIOUS ENDOWMENTS."

(*Mr. Kimbaird.*)

*Ordered, by The House of Commons, to be Printed,
26 June 1863.*

109

EAST INDIA (SEDASHEGAR HARBOUR).

RETURN to an Address of the Honourable The House of Commons,
dated 13 February 1863 ;—for,

A “ COPY of all CORRESPONDENCE not hitherto laid upon the Table,
relative to the PIER and HARBOUR of SEDASHEGAR, and ROADS
leading thereto.”

India Office, }
2 March 1863. }

W. T. THORNTON, Secretary,
Public Works Department.

(*Lord Stanley.*)

Ordered, by The House of Commons to be Printed,
3 March 1863.

C O N T E N T S.

No.	DATE.	FROM	TO	SUBJECT.	PAGE.
1	7 Oct. 1856	Government of Madras -	Court of Directors - -	Proposal by Lieutenant Taylor, I.N., to form a Harbour of Refuge at Beikul.	3
2	18 May 1858	Court of Directors - -	Government of Madras -	In reply - - - - -	5
3	16 April -	Government of Madras -	Court of Directors - -	Further proposals on the same subject - - - - -	6
4	4 May -	Government of Bombay -	Court of Directors - -	Suggesting that some harbour engineer be deputed to make detailed plans and estimates.	9
5	10 June -	Government of Madras -	Court of Directors - -	Relating to the above suggestion - - - - -	10
6	6 Oct. -	Secretary of State - -	Government of Madras -	On the subject of establishing a harbour at Sedashegar -	16
7	16 May 1860	Government of Madras -	Secretary of State - -	Enclosing papers regarding Lieutenant Hunter's scheme of constructing a harbour at Sedashegar, and requesting the opinion of an experienced engineer.	17
8	16 Aug. -	Secretary of State - -	Government of Madras -	In reply - - - - -	22
9	31 Aug. -	Secretary of State - -	Government of Madras -	Stating that the Cotton Supply Association have been informed that proposals from them for purchasing sites at Sedashegar will be favourably entertained.	25
10	4 Oct. -	Government of Madras -	Secretary of State - -	Regarding the choice between the Kaigah and Barbul Ghât for the road from Dharwar to Sedashegar.	25
11	15 Dec. -	Secretary of State - -	Government of Madras -	Desiring that every encouragement be given to a projected Cotton Company, limited (advertisement enclosed), and that no time be lost in completing the road to Beikul.	25
12	28 Feb. 1861	Secretary of State - -	Government of Bombay -	Enclosing the report of Mr. James Abernethy, C.E., on the works for improving the harbour of Sedashegar.	26
13	28 Feb. -	Secretary of State - -	Government of Madras -	Transmitting copy of foregoing despatch - - - - -	30
14	12 Jan. -	Government of Bombay -	Secretary of State - -	Forwarding Minute recorded by the President - - - -	30
15	16 Mar. -	Secretary of State - -	Government of Bombay -	Coinciding in views expressed in foregoing Minute - -	32
16	19 April -	Government of Madras -	Secretary of State - -	Reporting the progress made in the road to Sedashegar, <i>viâ</i> the Kygh Ghât.	32
17	8 Aug. -	Secretary of State - -	Government of Madras -	Urging the vigorous prosecution of the road from Hooblee to Sedashegar.	35
18	16 April -	Secretary of State - -	Government of Madras -	Enclosing letter from Mr. Haywood, Secretary to the Manchester Cotton Company, limited, as to the construction of a pier at Sedashegar.	35
19	14 June -	Government of Madras -	Secretary of State - -	Stating that a vigorous prosecution of the pier has been authorised.	36
20	2 Aug. -	Secretary of State - -	Government of Madras -	In reply - - - - -	38
21	27 Nov. -	Government of Bombay -	Secretary of State - -	Regarding the Bombay portion of the road from Dharwar to Sedashegar.	39
22	8 Feb. 1862	Secretary of State - -	Government of Bombay -	In reply - - - - -	45
23	4 Dec. 1861	Government of Madras -	Secretary of State - -	Works at Sedashegar - - - - -	45
24	24 Mar. 1862	Secretary of State - -	Government of Madras -	Roads from Sedashegar to the Southern Mahratta Country -	47
25	7 Mar. -	Secretary of State - -	Government of Madras -	Forwarding complaint of Manchester Cotton Company regarding delay in construction of works at Sedashegar.	47
26	10 June -	Government of Madras -	Secretary of State - -	Replying to Manchester Cotton Company's complaint - -	52
27	2 April -	Government of Bombay -	Secretary of State - -	Transmitting report by Colonel Turner and Mr. Hope, on North Canara.	57
28	31 May -	Secretary of State - -	Government of Bombay -	In reply - - - - -	77
29	5 May -	Government of Bombay -	Secretary of State - -	Report of progress made in opening the Port of Sedashegar for shipment of produce direct to England.	77
30	8 Oct. -	Secretary of State - -	Government of Bombay -	Stating that extracts from the foregoing have been transmitted to the Cotton Supply Association.	78
30A	27 „ -	Government of Bombay -	Secretary of State - -	Establishment of a new Town at Konay - - - - -	79
31	24 Nov. -	Government of Bombay -	Secretary of State - -	Describing the works to be undertaken in North Canara during the ensuing season.	85
32	9 Feb. 1863	Secretary of State - -	Government of Bombay -	In reply - - - - -	88
33	13 Nov. 1862	Secretary of State - -	Government of Bombay -	Forwarding the complaint of the Cotton Supply Association, and requesting to be informed of the whole facts of the case.	88
34	13 Jan. 1863	Government of Bombay -	Secretary of State - -	Replying to the complaints of the Cotton Supply Association -	92
35	26 Feb. -	Secretary of State - -	Government of Bombay -	Expressing satisfaction with the exertions made to improve the Port of Beikul, and enclosing a claim for 20,000 l. compensation, from the Indian Government, advanced by the Manchester Cotton Company, together with the reply thereto.	114
36	27 Jan. -	Government of Bombay -	Secretary of State - -	Further proceedings connected with works in North Canara -	121

COPY of all CORRESPONDENCE not hitherto laid upon the Table, relative to the PIER and HARBOUR of SEDASHEGAR, and ROADS leading thereto.

— No. 1. —

EXTRACT LETTER from the Government of *Madras* to the Court of Directors, No. 22, dated 7 October 1856.

Para. 14. AT our consultation of the 24th December last, we had under our consideration a letter from the Marine Board, as well as one, to which it gave cover, from Lieutenant Taylor, of the Indian Navy, on the formation of a harbour of refuge at Beikul Cove, in Sedashegar Bay, of North Canara.

15. Lieutenant Taylor proposed to form this harbour by throwing out in front of the Cove a breakwater 1,200 yards in length, to form the north-east side of the harbour, and to keep off the swell caused by the north-west winds which prevail from March to the setting in of the south-west monsoon, and which are annoying to the native craft, though but little felt by a large ship, with a second breakwater of 200 yards in length, from south-west to north-east, to form the north-west opposition to the swell at the mouth of the Cove.

16. It was proposed to have a wharf on piles on the western side of the Cove, or preferably to have the breakwater built substantially enough for a wharf, with warehouses on the east side of the Cove, near the debouchure of the proposed canal.

17. This canal it was proposed to cut for a distance of $2\frac{1}{2}$ miles from the Swikerry or Carwar Creek, of the Sedashegar river, so as to enclose the Beikul Cove, just behind the breakwater. This would form a communication between the river and the Cove at all seasons, the entrance of the Sedashegar river being impracticable even for boats during the south-west monsoon.

18. It was proposed by Lieutenant Taylor that a lighthouse should be erected on Carwar Head, but the Marine Board, following Captain Biden, advised its being built on the Oyster Rocks, with a beacon or obelisk on Carwar Head. They recommend that a lighthouse, flag staff and beacon, which would not cost more than 10,000 rupees, should be sanctioned at once, and, on this being done, would submit estimate for the establishment required.

19. As a present measure, and to facilitate the conveyance of merchandise in Beikul Cove, until the harbour were completed, Lieutenant Taylor recommended that, the canal being cut, as already mentioned, its conjunction with the Cove should be protected by a breakwater, which, for a part of its course, would coincide with the larger breakwater to be afterwards erected.

20. In laying these papers before you, we feel assured that your Honourable Court will, equally with ourselves, peruse them with much interest.

21. The site proposed for a harbour of refuge appears, as far as a judgment can be formed from the report and plans, to be very favourable. The whole project looks promising, but as much information was still wanting before it could be laid before the Government of India, the civil engineer of the 3d division was instructed, through the Department of Public Works, to prepare, in communication with Lieutenant Taylor, plans and estimates for the breakwater, lighthouse, canal and other works proposed for the harbour, while the collector of Canara was called on, through the Board of Revenue, to supply information regarding the amount of shipping for which a harbour would be required, and the extent of the trade which would be promoted by it. Further information and explanation

were also to be supplied on certain points connected with the engineering aspect of the project.

22. The chief engineer laid before us a letter from Lieutenant Walker, civil engineer of the 3rd division, having relation to the first of these three objects. After stating that his removal to Bellary put it out of his power to prepare the plans and estimates required, Lieutenant Walker proceeded to treat of the present defective condition of the inland communication with Sedashegar Harbour, and urged on our attention the necessity of opening out the interior to the port, by means of roads, as an introduction to the improvement of the port itself. He referred more particularly to the roads by the Sengawaree ghaut on the northern bank of the Sedashegar or Black river, ascending to Hulliaul, and by the Kygah ghaut on the southern bank leading to Yellapoor. Lieutenant Walker argued that the harbour in its present state was so excellently adapted for trade, that ships would certainly resort to it, if it were possible to bring down cargo for them; but that without the means of bringing produce from the interior, no improvement of the port could make it a place of trade.

23. Lieutenant Walker proposed that a sum of 50,000 rupees for the Sengawaree ghaut, which he supposed to be in the budget of 1856-57, should be available immediately on the 1st May, and that a further sum of 25,000 rupees should be granted for expenditure in the same year for earth work, on the Kygah ghaut, leaving the estimates for the masonry works to be prepared intermediately for entry in the budget of 1857-58. We observed that Lieutenant Walker was mistaken in supposing that a sum of 50,000 rupees for the Sengawaree ghaut road had been entered in the budget of 1856-57; an estimate of 49,300 rupees for this road had been indeed submitted, but having unfortunately arrived too late for the budget, it was necessarily returned to be sent up again for entry in the budget of 1857-58.

24. We fully admitted the justice of Lieutenant Walker's argument in favour of previous, or at least simultaneously, improvement of the approaches to the port from the land. But under the circumstances above noticed it became unavoidable to postpone the latter work as well as the former for another year.

25. With reference to the lighthouse, we were inclined to prefer placing it on Carwar Head rather than on the Oyster Rocks, as advised by the Marine Board, but thought that if the harbour were formed it might be advisable to have one on each locality. We had desired estimates for both lighthouses to be prepared and sent in at once, and expressed our readiness to sanction a lighthouse and beacon in advance of the rest of the arrangement, calling on the civil engineer for his opinion as to the site on which the first lighthouse should be built. The civil engineer, Lieutenant Walker, has, however, as above observed, been removed to the Bellary district, and has been unable to give his attention to the work. We have not been informed whether his successor in Canara has done anything towards it.

26. The Marine Board recommended that two first-class lights, one for Carwar Head, and one for the Oyster Rocks, should be put in hand at the Arsenal at a cost not exceeding 594 rupees each, and that a column should be erected at each site suited either for an obelisk or to receive a light as might hereafter be settled.

27. The Board stated that if 5,000 rupees were allowed for each of the two columns, this would cover the light as well, supposing apparently that the columns were like that at Cochin, which cost Rs. 4,484. 3. They thought, however, that the columns built at Mangalore and Coomptah should be adopted as patterns, and recommended that authority should be granted to erect them at once at a cost not beyond that (1,800 rupees each) of those above referred to. The total expenses for the two lights and columns would then be $(1,800 + 594) \times 2 = 4,788$ rupees.

28. We were of opinion that the obelisks would be required in any case, as would at least one of the lights, and the other would be always useful to have for employment elsewhere, if not wanted at Sedashegar. We therefore authorized the construction of two first-class lights at the cost of 594 rupees each, and desired that they might be immediately put in hand at the arsenal at Madras.

29. In reply to our inquiry as to how these two lights could be distinguished from each other, the Marine Board proposed that the light to be exhibited on the Oyster Rocks should be a plain white light of the first-class, and the one on Carwar Head a bright red light of the same class, a distinction which they were of opinion would prove sufficient for the safety of vessels approaching the coast. We approved of this proposition, and directed that two first-class lights of the description suggested, *i.e.*, one with red and one with white glass should be constructed at the grand arsenal.

30. We have called upon the chief engineer, through the Department of Public Works, to submit at once estimates for the erection of two columns, one at Carwar Head and the other at the Oyster Rocks, on the pattern of those at Mangalore and Coompstah, such as may be suited either for an obelisk or to receive a light.

31. We have, at the suggestion of the Marine Board, authorised the chief engineer to strike off 350 copies of each of the charts of Sedashegar Bay and Beitkul Cove, and to forward them to the Board for distribution. Ten copies of each chart are now sent to your Honourable Court.

— No. 2. —

EXTRACT DESPATCH in the Marine Department to the Government of *Madras*,
No. 15, dated 18 May 1858.

10. We gather from these papers, that the plan recommended by Lieutenant Taylor for forming this harbour by means of two breakwaters, is not sufficiently matured to be submitted to the Government of India. We, therefore, abstain from entering into a discussion of the entire project, until the information on all the points involved in it is laid before us. The only portion of the scheme which calls for immediate consideration, is that relating to the exhibition of lights which are recommended both on the Carwar Head, and one on the Oyster Rocks, which lie in a westerly direction from the shore, and are more to seaward than the other site proposed for the lighthouse. The near proximity of these positions to each other (the intervening distance being about three miles only), would, it appears to us, make it unnecessary to build more than one lighthouse off Sedashegar. Lieutenant Taylor recommends that a lighthouse should be built on Carwar Head, which is 640 feet high, whilst the Marine Board, following Captain Biden, advise its being erected on the largest of the Oyster Rocks, with a beacon or obelisk on Carwar Head. Captain Biden in a minute transmitted with these papers, regarding Lieutenant Taylor's plan and survey of Beitkul Cove, remarks "the outer or western Oyster Rock offers a better site for the erection of a lighthouse than Carwar Head, as that position is upwards of three miles to seaward, and in thick weather the discovery of a light indicating the approach to danger so much further to windward, would be a great advantage; I would, therefore, recommend calling Lieutenant Taylor's attention to this suggestion. The Oyster Rock is 160 feet above the level of the sea, which is a sufficient elevation for the display of a light." We presume that whether a harbour of refuge at Beitkul Cove shall be determined upon or not, a good light in that neighbourhood would be very useful to the shipping in general navigating the coast, and not merely for the vessels expected to frequent the projected harbour. In this view of the subject it seems to us that the dangers most to seaward ought to be especially guarded against. We therefore approve of the western outer Oyster Rock, as the most eligible site for the intended lighthouse; when the harbour of refuge shall have been constructed, a smaller light to guide vessels to the anchorage may be added in the position best suited for that purpose.

14 to 31. Projected formation of a Harbour of Refuge at Beitkul Cove, in Sedashegar Bay, off North Canara, proposed by Lt. A. D. Taylor, I.N., by means of two breakwaters in different directions.

—No. 3.—

PUBLIC WORKS' LETTER from *Madras*, dated 16 April 1858, (No. 9.)

Para. 1. In paras. 14 to 31 of our letter in the Marine Department, dated 7th October 1856, No. 22, we had the honour of bringing under your notice a report by Lieutenant Taylor of the Indian Navy on the subject of forming a Harbour of Refuge at Beitel Cove, in Sedashegar Bay of North Canara, we informed you that the project, as then brought before us, appeared to be promising; that we had required the civil engineer to prepare, in communication with Lieutenant Taylor, plans and estimates for the breakwater, lighthouse, canal, and other works proposed for the harbour; and that we had called on the collector through the Board of Revenue to supply information regarding the amount of shipping for which a harbour would be required, and the extent of the trade which would be promoted by it.

2. As regards the former of these requisitions, your honourable court were informed, that in consequence of Lieutenant Walker's removal to Bellary, it was not in his power to meet our call for plans and estimates, but that he had given an account of the defective condition of the inland communication with Sedashegar Harbour, and had urged on us the necessity of opening out the interior to the port by means of roads, referring more particularly to those by the Singwaree and Kygah Ghauts, as an introduction to the improvement of the port itself.

3. We have now the honour of submitting the further papers bearing on the subject, recorded in the consultations of the dates noted in the margin. In their proceedings of the 22d June last, the Board of Revenue submitted the result of their correspondence with the acting collector of Canara, and that officer's correspondence with the collector of Dharwar, the superintendent of the Nugger Division in Mysore, Mr. Brice, a merchant in Canara, and the Chamber of Commerce at Bombay. The Board failed to elicit specific information on the points indicated by us, viz., as to the amount of shipping for which a harbour was required, and an estimate of the trade which would be created by such a work; but they were nevertheless in favour of the project, considering that the papers furnished by them supplied sufficient grounds for the formation of the projected harbour.

P. W.	25 April 1856,	Nos. 53, 54	
Do.	7 July 1857	" 9	
Do.	18 Aug. "	" 16, 17	
Do.	1 st Sept. "	" 52, 53	
Do.	12 March 1858	" 128-130	

4. The acting collector furnished an abstract of the opinions of the different authorities consulted by him; and from it we gathered, notwithstanding a difference of sentiment in some respects, that the formation of a harbour at Beitel would be advantageous to the shipping and commercial interests of the western coast, and to the trade of the countries bordering on it, provided that direct communication were maintained with the interior. The collector of Dharwar, equally with Mr. Fisher, was warmly in favour of the work; and the latter, in addition to the improvements of the roads, suggested the formation of a coast canal, in order fully to develop the cotton trade of Dharwar, Bellary, and the Doab. By this means also it was represented, that the port of Beitel would be made valuable to Canara, Mysore, Coorg, Malabar, and even the countries to the south of the last-named province; and Mr. Fisher remarked that the canal alone, even if no artificial harbour were constructed at Beitel, would be a desirable local improvement, as it would form a highway connecting the numerous rivers, which now offered serious impediment to uninterrupted communication along the coast. * * * *

5. Although the papers before us did not give a unanimous support to the proposed work, we saw in them sufficient to convince us that the project was worthy of very full and careful investigation. The present aspect of affairs forbade the immediate undertaking of a project, which could not but be costly from its very nature, but as we did not wish at the same time, that it should be lost sight of, we thought that the interval that must ensue before the country could recover from the present financial pressure, could not be better employed, than in collecting further and more satisfactory data, to determine the utility and probable expense of the harbour works, and the necessity of those auxiliary improvements which were represented to be essential to develop the main work. With this view, therefore, we resolved to communicate to Colonel A. T. Cotton,

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all the papers on this topic, and we requested him to take the whole subject into his deliberate consideration, and place his opinion before Government.

6. Amongst the papers transmitted will be found a further report by Lieutenant Taylor,* of the Indian Navy, on the harbours and rivers of Canara, in which he alludes to the advantages of the Beiteul Harbour, and recommends, in partial modification of his former views, that any works to be undertaken at this place should be on a large scale. In pursuance of our previous resolution, we forwarded this report also to Colonel A. T. Cotton for any remarks that he might wish to offer.

7. Since the date of these papers, we have been furnished with a copy of your Honourable Court's letter to the Government of India, dated 14th October 1857, No 42, and of the communication of the cotton supply association which accompanied it. The proposals of the association refer to two projects, the formation of a harbour at Beiteul, and the navigation of the Godavery river. Your Honourable Court are aware that both these projects have engaged our attention for some time, and that in our proceedings we have recorded opinions strongly in favour of the advantages to be anticipated from them. It is unnecessary to recapitulate these opinions, as they are given in our reply to the Government of India, to which we beg to refer you.

Enclosures in No. 3.

No. 128.—READ the following Extract from the Proceedings of the Right Honourable the Governor-General of *India* in Council, in the Public Works Department (Public), under date the 16th January 1858, No. 271.

Read a Despatch from the Honourable the Court of Directors, No. 42, dated 14th October 1857, forwarding a communication from an association organised in the manufacturing districts for facilitating the importation of Indian cotton.

Order.—Ordered, that a copy of the above Despatch, and of paragraphs 6, 9, 10, and 11 of its enclosure, be forwarded to the Government of Fort Saint George for their remarks and suggestions in reference to the last paragraph of the Court's despatch.

(True extract.)

(signed) *H. Yule,*

Officiating Secretary to the Government of India.

Public Works Department.—Revenue Branch.

(No. 42 of 1857.)

Our Governor-General of India in Council.

WE transmit herewith for your information copy of a paper which has been placed before us by an association which has been organised in the manufacturing districts, having for its object the promotion of measures for obtaining an increased supply of cotton, of improved quality and at a reduced price, from all localities capable of producing that important staple.

2. Most, if not all, of the projects advocated by the association in the paper now submitted have been already brought under your consideration and that of the local Governments. Such of them as will expedite and cheapen the conveyance of cotton to the coast, and its shipment at the port of export, and can be executed at a comparatively small expenditure, will, of course, receive your attention whenever you are in a position to resume the execution of useful public works; and we hereby authorise you to communicate to the Governments of Fort Saint George and Bombay your sanction to their undertaking, or authorizing those of the works enumerated which you may feel convinced will really encourage private enterprise to provide the money which is requisite to extend the fertility of the Indian cotton field.

We are, &c.

(signed) *R. D. Mangles,*

F. Currie,

and other Directors.

London, 14th October 1857.

* Already presented, *see* 234 of 1859, p. 57.

EXTRACT from the Proposals of the Cotton Supply Association.

6. The formation of a harbour at Sedashegar, with roads into the interior towards the great cotton district of Dharwar.

We are informed that this proposal has been strongly recommended by the principal engineers and naval officers of the company, and that the site was visited last season by Lord Harris, the Governor of Madras. It is understood to afford the finest shipping port between Bombay and Ceylon, and opens conveniently into the cotton-growing districts of Belgaum and Dharwar, and that it has been strongly recommended by Lieutenants Selby and Taylor, and by the principal officers of the Madras Engineers. We have also been informed that the Court of Directors are in possession of estimates for this work.

£. 30,000.

The importance and value of this port would appear to justify the expenditure upon its harbour and its approaches of 30,000 £., and as large a sum might be usefully applied upon roads from thence into the interior of this highly productive cotton soil.

No. 129.—ORDER thereon, No. 434; dated 11th March 1858.

Para. 1. With these proceedings, the Government of India communicate a despatch from the Honourable Court of Directors, dated 14th October 1857, No. 42, with certain proposals made to that authority by an association organised in the manufacturing districts, with the object of promoting measures for facilitating the importation of Indian cotton. The proposals of the association bear upon two projects.

First.—The formation of a harbour at Sedashegar, with roads into the interior towards the great cotton district of Dharwar.

2. In the concluding para. of the despatch, in reference to which the Government of India invite the remarks and suggestions of this Government, the Honourable Court, after adverting to the projects advocated by the association, observe, that such of them as will cheapen the conveyance of cotton to the coast, and its shipment at the port of export, and can be executed at a comparatively small expenditure, should receive attention when the state of affairs admits of the execution of useful public works being resumed; they then, in conclusion, authorise the Government of India to sanction such of the works as they may feel convinced will really encourage "private enterprise to provide the money which is requisite to extend the fertility of the Indian cotton-field."

3. The papers noted in the margin refer to the first of the two projects above named, viz., the formation of a harbour of refuge at Beiteul Cove, in Sedashegar Bay of North Canara. The Government have already recognised the importance of improving this harbour, and, in Extract Minutes Consultation, 23rd April 1856, No. 551, they agreed with the District Engineer that the opening of roads from the interior to the port was a necessary preliminary to the improvement of the port itself.

P. W. Cons.	8 Jan.	1856,	No. 42-43
	25 April	"	" 53-54
	7 July	1857	" 9
	18 Aug.	"	" 16-17
	1 Sept.	"	" 52-53

4. Since then, the Government have received the report of Lieutenant Taylor, of the Indian Navy, on the harbour and rivers of Canara, in which the subject of the Beiteul harbour is alluded to. They have also received the proceedings of the Board of Revenue, giving cover to a letter from the Collector of Canara, on the advantages that may be anticipated from the formation of a harbour of refuge at this place, and communicating their own views on the subject. Previous to making this report, the Collector of Canara had consulted the Collectors of Bellary and Dharwar, the Superintendent of Nugger, in Mysore, the Chamber of Commerce at Bombay, and Mr. Brice, a merchant on the Canara coast; and although the opinions expressed by them did not give unanimous support to the formation of the harbour, there was sufficient in them to convince the Government that the project was worthy of very full and careful investigation. The Government resolved, therefore, in reference to the financial pressure which precluded costly works being undertaken for some time to come, to employ the interval in collecting further and more satisfactory data, to determine the utility and probable expense of the harbour works, and the necessity of those auxiliary improvements which were represented to be essential to develop the main work; they accordingly transmitted, on the 14th August last, all the papers bearing on the subject to Colonel A. T. Cotton, with a request that he would take the whole subject into his deliberate consideration, and place his opinion before Government.

5. As the subject is now engaging the attention of the commercial classes in England, and the home authorities have permitted the Government of India a latitude in the matter, the Right Honourable the Governor in Council is of opinion that no delay should now take place in coming to a decision on the question; Colonel A. T. Cotton communicated his views and suggestions on the Beiteul harbour project, and the Right Honourable the Governor in Council proposes to give the subject his early consideration.

6. It may be remarked here, as bearing on the question at issue, that an estimate of 36,021 rupees for opening a canal from the Tuddry river to Coompta, for the purpose of facilitating

facilitating the shipment of cotton from the Bellary and Dharwar districts, was entered in the budget of 1856-57, and received the sanction of the Government of India, but that, from the pressure on the public finances, the execution of the work has been stayed for the present. In forwarding the correspondence regarding the Beikul harbour to the Government of India, the Government propose to allude to the above project, as one which might be undertaken in furtherance of the object contemplated by the association as soon as circumstances permit.

No. 130.—ORDERED, in consequence, that the following letter be despatched:—

From *H. Forbes*, Esq., Acting Secretary to the Government of Fort Saint George, to Captain *H. Yule*, Officiating Secretary to the Government of India, D. P. W., dated 11th March 1858, No. 435.

Sir,

Para. 1. I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of the proceedings of the Government of India, dated 16th January last, No. 271, communicating a Despatch from the Honourable Court of Directors on the subject of certain proposals made to that authority by an association organised in the manufacturing districts for facilitating the importation of Indian cotton, and inviting the remarks and suggestions of this Government with reference to the encouragement afforded by the Honourable Court to the prosecution, at the proper time, of such of the works in question as will encourage private enterprise to provide the money which is requisite to extend the fertility of the Indian cotton fields.

2. The proposals of the association refer to two great works, the formation of a harbour at Sedashegar, with roads into the interior towards the great cotton district of Dharwar; and, secondly, increased facilities for the navigation of the Godavery river.

3. The formation of a harbour of refuge at Beikul Cove, in Sedashegar Bay, of North Canara, has received the consideration of this Government in the papers of the dates noted in the margin, and I am directed to submit copies for the information of the Government of India. It will be seen that this Government have recognised the importance of improving the harbour, and admitted the necessity of opening the roads from the interior to the port as a necessary preliminary to the improvement of the port itself. The subject has engaged the attention of the local revenue officer and the Board of Revenue, and both authorities are in favour of the undertaking. The Collector of Canara has been in consultation with the Collectors of Bellary and Dharwar, the Superintendent of Nuggur in Mysore, the Chamber of Commerce at Bombay, and Mr. Brice, a merchant on the Canara coast. The opinions elicited from these parties, though not unanimous in favour of the project, have sufficiently convinced this Government that it is one worthy of very full and careful investigation. Referring therefore to the financial pressure which precluded costly works being undertaken for some time to come, this Government resolved on employing the interval in the collection of further and more satisfactory data, to determine the utility and probable expense of the harbour works, and the necessity of those auxiliary improvements which were represented to be essential to develop the main work. Colonel A. T. Cotton has been requested to take the whole subject into consideration, and to place his opinion before Government, and his Lordship in Council hopes to have it in his power on an early date to make a further communication.

From Marine Board,	21 Nov.	1855,	No. 2383
Mar. E. M. Cons.	24 Dec.	"	" 286
From Chief Engr.	14 March	1856,	" 1731
P. W. E. M. Cons.	23 April	"	" 551
Pro. Board of Rev.	22 June	1857,	" 2143
Ex. Minutes Cons.	14 Aug.	"	" 1579
From Lieut. Taylor	27 July	"	" "
Order	1 Sept.	"	" 1664

— No. 4. —

PUBLIC WORKS DESPATCH from *Bombay*, dated 4th May (No. 17) 1858.

Para. 1. MR. PARKES, the civil engineer sent out by your Honourable Court to examine the Kurrachee Harbour, having on the completion of his work called at Bombay, on his return to England, we requested him to proceed to Sedashegar, for the purpose of reporting on the best means of improving that port.

2. We now beg to submit copies of the Report furnished by Mr. Parkes, and of its accompaniments (being two memoranda and a plan) together with copies of minutes recorded by us on these papers. See page 10.

3. We would strongly recommend that Mr. Parkes (who left for England by the steamer of the 24th April), or some other competent and experienced harbour engineer, may be sent out to India as early as possible, for the purpose of making detailed plans and estimates of the cost of the proposed works, for the improvement of the port of Sedashegar.

— No. 5. —

PUBLIC WORKS LETTER from *Madras*, dated 10th June 1858, No. 13.

IN our letter of the 16th April last, No. 9, we informed your Honourable Court that we had forwarded to Colonel A. T. Cotton all the papers that had been placed before us respecting the formation of a harbour of refuge at Beiteul Cove, in Sedashegar Bay, and regarding other subsidiary works connected with the improvement of the port, in view of that officer taking the whole subject into his deliberate consideration, and affording us the benefit of his opinion.

2. Colonel Cotton complied with this requisition in a memorandum which accompanied his letter of the 4th March 1858, No. 53; but before acting upon his suggestions we deemed it expedient that the matter should be further and fully deliberated upon, especially as it had engaged attention in England, and an association formed expressly for the object of promoting measures for facilitating the importation of Indian cotton had adverted to the formation of this particular harbour, and to the opening of roads into the interior, as one of the means by which that object would be attained. In pursuance of this object we resolved that Colonel Cotton's report, with those which preceded it from Lieutenant Taylor, of the Indian Navy, should be printed, and copies struck off and distributed to the Engineer Officers, and in the mean time we required the chief Engineer to prepare and submit plans and estimates for the works required at the harbour. As the

Cons. 1 June 1858, Nos. 55, 56.
 " 15 " " " 5 to 8.

printing of the above compilation will occupy some time, we shall at a future date forward copies* to your Honourable Court.

3. Our object in now addressing you is to bring under your Honourable Court's notice that we have received a communication from the Bombay Government, in which, in reference to the improvement of the Sedashegar Port, it is intimated that that Government have strongly recommended to your Honourable Court, and to the Government of India, that an engineer should be sent out as early as possible to prepare detailed plans and estimates for that object. We have advised the Government of Bombay of our proceedings in this matter, but we would take the liberty to express the hope that your Honourable Court will not permit the project to pass out of the hands of this Government, whence it was initiated.

Enclosures in No. 5.

No. 5.—READ the following Letter from *W. Hart*, Esq., Secretary to the Government of Bombay, to *W. H. Bayley*, Esq., Acting Secretary to the Government of Fort Saint George, dated Bombay Castle, 6th May 1858, No. 1267.

Sir,

I AM directed to forward for the information of the Government of Fort Saint George,

Report by Mr. W. Parkes, civil engineer, dated 19 April 1858, with two memoranda and a plan.

Minute by the Right Honourable the Governor, dated 27 April 1858.

Minute by the Honourable Mr. Malet, dated 27 April 1858.

Ditto by the Honourable Mr. H. W. Reeves, dated 27 April 1858.

copies of the papers noted in the margin, relative to the improvement of the port of Sedashegar, and to state that this Government have strongly recommended to the Honourable the Court of Directors and the Government of India, that an engineer may be sent out as early as possible to prepare detailed plans and estimates of the improvements suggested.

2. I am to explain that Mr. Parkes is a harbour engineer of experience sent out by the Honourable Court to mature a project for the improvement of the Kurrachee harbour; and that, as he passed through Bombay on his return to England, the Right Honourable the Governor in Council was unwilling to lose the opportunity of obtaining his opinion on the capabilities of Sedashegar, and therefore deputed him for the purpose of examining it, without previously communicating with the Government of Fort Saint George.

LETTER from *William Parkes*, Esq., Civil Engineer, to *W. Hart*, Esq., Secretary to Government, Public Works Department, dated Bombay, 19th April 1858.

Sir,

I HAVE the honour to report to you that in conformity with the wishes of the Right Honourable the Governor of Bombay conveyed to me through you, I proceeded (in company with Commander Barker, R. N.) on board the Honourable Company's steam vessel "Berenice," commanded by Lieutenant Chitty, R. N., to Sedashegar, and remained there four days, namely from the 14th to the 17th instant inclusive.

On

* See Parliamentary Paper, 234, of Session 1859, p. 71.

On arrival at Sedashegar we were informed that Lieutenant Taylor, R. N. in command of the Honourable Company's surveying vessel "Pownah," was lying some miles up the river. Commander Barker and myself proceeded to join him, and were fortunate enough to meet him. He kindly accompanied us down the river on the following day, and gave us much valuable information.

I could have wished that circumstances had admitted of my making a more detailed survey of the bay and river of Sedashegar, but as this is not possible, I trust that the Government will consider that any opinions or suggestions I may now advance, require to be tested by further professional examination of the locality.

Sedashegar possesses two features to a certain extent distinct from one another, each of which presents very great capabilities. The first is the bay between the islands Coormaghur and Deoghur on the north, and Carwar head on the south, and the second the fine tidal river which is navigable for 17 or 18 miles into the interior.

The bay is at present partially protected from the monsoon during the time of its greatest violence in the months of May and June, when the direction of the wind is nearly south west, but it is exposed to the west and north west. It might be sheltered from these quarters by the construction of breakwaters of altogether about a mile and a half in length, and a perfectly quiet harbour thus formed of upwards of four square miles in area with a depth varying from 14 to 32 feet at low water, and thus capable of accommodating at all times of tide the largest description of merchant ships and all but the largest of the Royal or Indian Navy. The bottom is remarkably even and consists of a stiff mud.

The facilities for the formation of these works, should they ever be contemplated, are very great, Carwar Head consisting of granite of the very best quality.

As a harbour of refuge or naval station, Sedashegar, thus protected, would be quite equal to the fine harbours now in course of construction at Dover, Portland, Holyhead, and Alderney, and I think at a less expense compared with the accommodation afforded than any of these.

Although the Government may have no intention of immediately availing itself of the facilities here presented, I think it right that they should be brought to the notice of his Lordship, and that in any disposition of the neighbouring land, or in the formation of any works for the improvement of the navigation for the benefit of trade, regard should be had to the possible future requirements of a large national undertaking.

The second great feature of Sedashegar is the river, and the great facilities it offers for inland trade. At the present time it is navigable for small country craft drawing not more than 8 feet for 17 or 18 miles from the entrance, and by a few inexpensive works of embanking and directing the channel, there is no doubt that a depth of 9 or 10 feet at low water, or 15 feet at high water, might be made and maintained by the natural scour. The river may be said to present facilities for improvement in a more than ordinary degree, for the difference in the range of the tide at the entrance and Malapore, 16 miles up, where the "Pownah" was lying, is only about three feet, so that there can be but little fall over the shoals, and their removal would cause little disturbance of the channel above.

The great drawback to the advantages of this inland navigation, however, is the difficulty of communication with the sea, and it is to the formation of a more certain means of communication that efforts will first have to be directed.

The river discharges itself into the sea to the north of Sedashegar Bay, and on the chart made by Lieutenant Taylor in 1855, a minimum depth of 13 feet is shown. This proves what is the power of the flow and ebb of the vast quantity of tidal water which twice a day fills the great space of backwater inland, but unfortunately it does not show the depth of water available for navigation, owing to the shifting nature of the sandy bottom and sides of the mouth, and of the adjacent beach. In fact, the river entrance is now materially different from what it was two years ago. During the last monsoon, the sea has broken over the narrow neck of sand which separated the channel from the sea for the last half mile of its course, and a new mouth has thus been formed, through which a very large quantity of the river and tidal waters escape, and the old mouth has proportionally filled up. Such changes of the channel as this upon a large or small scale are continually occurring, and render the entrance of the river far inferior for navigation, even in fine weather, to its inland course.

I have no doubt, however, that a remedy for this evil is quite possible. The power of maintaining a channel evidently exists in the tidal scour; it is only required to prevent this scour being wasted by confining the channel to a fixed course, and by so intercepting the drift of sand before the waves, that it shall not be carried into the entrance. I believe these objects would be accomplished by carrying a causeway down the west side of the river, from the spot where the mouth is stated to have been 50 years ago to within 500 yards of the Rock River; and by connecting it with the Island of Coormaghur by raising to above high-water mark the shoal which nature is already forming there, having by the chart only four feet water upon it, and now two feet less; the longitudinal causeway would confine the scour to a proper width, the cross causeway would prevent the sand from driving before the south-west surf along the beach northwards across the mouth of the river.

If these works or such modification of them as more detailed surveys might suggest were carried out, I have no doubt that a constant depth of 15 feet at low water or 22 feet at high would be maintained. How far this depth would be sufficient to render the entrance practicable during the monsoon is a question for naval men to decide, and if it were not sufficient, how far the improvement which would be effected for the fine weather would justify the

expense is also a question. I have no means of deciding, but it is right his Lordship should know the capabilities of the river entrance, so that whatever may be done to meet the present exigencies of the trade may be devised with a view to the future development of the natural resources of the river. In considering, therefore, the immediate question of the communication between the river and the sea, I have thought it right to bear in mind that the bay is the possible future site of a great national harbour, and that the river entrance is no less the possible site of future operations of the nature of those which have been so successful in many rivers and harbours in England and elsewhere, and of which I trust that Kurrachee will shortly present an example in India.

A proposition has been made for the construction of a canal to connect the river above its shifting entrance with the south-west corner of the bay near Beitkul Cove, and enclosing the cove by means of piers and breakwaters, so as to afford a shelter from all winds.

I have not heard that the details of this project have been considered by any professional engineer, and if they have been, it is possible that my present opinion might be modified; but on consideration of the general question, I have come to the conclusion that under all the circumstances a railway from nearly opposite the Fort of Sedashegar to the west side of Beitkul Cove would be more advantageous than a canal in the same course. I will give my reasons for this conclusion, and they may form matter for the consideration of the Government. First, the canal must be terminated by locks at each end, otherwise it would undoubtedly quickly silt up. What size are these locks to be? If only large enough for the vessels at present trading on the river, they will be much too small for the class of vessels which I am persuaded might be used with great advantage if the river were improved, and which, during the fine weather, at least, might go direct to sea.

If the locks were made in anticipation of larger vessels, the expense would be materially increased, and it would be very difficult to say what increase should be provided for.

Experience proves that the effect of the improvement of tidal rivers has generally been underrated rather than overrated, and that anything which has the effect of limiting the size of vessels may be a serious obstacle to the development of trade. Secondly, the lock which connects the canal with Beitkul Cove must be protected from the swell, and that in a very complete manner. I am informed that the cove is very quiet during the south-west monsoon, but the amount of swell which would be almost insensible to a vessel at anchor, or even alongside a wharf, would be a serious difficulty to one passing into the narrowed chamber of a lock. Beitkul Cove must therefore be protected, and a glance at the chart will show you how great the expense of any efficient protection would be, compared with the area of harbour sheltered, on account of the depth of water close to the shore.

For the above two reasons I think it would be found that the probable cost of an efficient canal communication would be very great, compared with the benefit it would confer.

A third objection is this. If the river vessels were to come down the canal and tranship their goods at Beitkul into sea-going craft, Beitkul would become the site of warehouses and all the other requirements of a place of trade. For this purpose the space is very confined, and what little there is would be required by Government in the event of Sedashegar being made a national port; on all accounts I think the south shore of the river opposite Sedashegar Fort is the proper site for trade. This spot is convenient for the river while the natural mouth is open, and there is ample room for the extension of commercial establishments.

If a railway were substituted for a canal there would be no reason for limiting the size of the vessels, except for the capabilities of the river itself; and merchants would be free to freight their vessels with export goods, either for sea or for transhipment at the mouth, according as the entrance were open or closed; they would not be hampered by the size of the locks and canal.

If the process at Sedashegar were a simple transhipment, there would be strong argument in favour of the canal, by means of which only one transhipment would be required instead of two, as by the railway; but, in the present case, I am informed that cotton, which is the staple article of export, and which is almost always exported in the early part of the monsoon, has to be warehoused and pressed. For these objects the railway would offer greater facilities, because the trucks could be brought to the private siding belonging to any warehouse, the cotton unloaded, pressed, and reloaded with a facility which a canal would hardly give, except at a considerable outlay.

The railway also offers a great advantage in its capability of increasing its accommodation according to the requirements of trade. If the three miles of rail from shore to shore were laid down without any terminal works at all, business could be commenced, wharfs, jetties and sidings might follow as required, and as a greater part of the outlay would be in moveable materials, rails, and sleepers, the position of the railway might be changed at any time to suit future contingencies at a small expense.

In the absence of details prepared by the projector of the canal, it would be improper in me to offer any opinion as to its probable expense; but this I may say without making use of imperfect data, that to bring the canal to a working condition would cost very much more than to bring the railway to an equally effective state.

MEMORANDUM by Commander *Barker*, I. N.

I FULLY concur in all that Mr. Parkes has advanced in the above report as to the capabilities of Sedashegar Bay and River, and also in the measures proposed by that gentleman for carrying out the proposed improvements.

It was our good fortune, as stated by Mr. Parkes, to meet Lieutenant Taylor, I. N., who surveyed the river of Sedashegar; we were thus at once placed in possession of much valuable information regarding the port, which would otherwise have taken months to acquire.

Lieutenant Taylor informed us that he had remained at Sedashegar one season to watch the effect of the south-west monsoon; he reports that vessels can anchor along the north side of Carwar Head throughout the monsoon in safety.

That such is the case is apparent from a mere glance at the chart, the islands to northward and westward forming partial breakwaters, which may be rendered effectually so by extending a breakwater off from Carwar Head, in a north-west by north direction, and a breakwater from the island of Deoghur in a south-south-east direction, leaving a space between these two extremities of about 500 yards wide, immediately east of the oyster rocks; these latter forming a breakwater to protect the entrance, and leaving ample room for the ingress and egress of ships to northward or southward of the said rocks.

There exists a good channel between the islands of Deoghur and Coormaghur which requires no improvement; we should thus have two good channels for shipping.

The breakwaters above alluded to being completed would greatly facilitate the carrying on of any works, should such be deemed necessary for the improvement of the mouth of the river.

To meet present exigencies all that is required is a railroad from the river to Beitkul Cove, as mentioned by Mr. Parkes, and the erection of piers for lighters to lay alongside at low water.

There is good holding-ground throughout, and I am convinced that the bay could be made one of the finest harbours in India.

The harbour should first be formed, leaving the improvements in the river mouth for further consideration.

(signed) *W. Barker,*

Bombay, 19 April 1858.

Commander, I. N., on special duty.

FURTHER MEMORANDUM by Mr. *Parkes*.

WITH regard to the last paragraph of Commander Barker's memorandum, I think that the works of the outer harbour, and of the river mouth, should be considered independent, as the construction of the former would occupy many years.

(signed) *W. Parkes.*

COPY of a MINUTE by the Right Honourable the Governor, dated 27th April 1858.

THERE can be no doubt, after reading Mr. Parkes' report, corroborated as it is by Captain Barker's opinion, and by the surveys and experience of Lieutenant Taylor, that Sedashegar may be made a spacious and excellent harbour for ships of a very large size, and that the tidal river at that place may also be improved, so as to admit of its navigation by vessels of considerable burden for a distance of 17 or 18 miles.

There is now no port (in the British territory) on the western coast of India south of Bombay, for the bar at Cochin prevents any but very small vessels from entering it. It is evident that if a good port were made at Sedashegar, the produce of North Canara, Dharwar, Belgaum, Bellary, the Raichore Doab, and some of the northern districts of Mysore, would be exported from it, and that a great import trade would also be attracted to it. In a naval, military, and political point of view, the advantages of a port on this part of the coast can hardly be overrated.

It is of course an unfortunate moment to bring forward projects which must necessarily involve a large expenditure; but this is no reason for refusing to examine such projects. I believe that as soon as the state of the finances will admit of the execution of any great Imperial works, this harbour is one of the first which the British Government should undertake. I would recommend, indeed, that no time should be lost in sending back from England Mr. Parkes, or some other engineer experienced in the construction of harbours, to prepare plans and estimates for the Sedashegar improvements. I observe from Mr. Parkes' note upon Captain Barker's memorandum that the construction of the breakwaters would occupy many years; the expense, therefore, would be spread over a considerable period, and there would be no very heavy outlay in any one year. I think that this is all in favour of commencing these works as soon as possible. I need not point out that the mere fact of the commencement of such a stupendous undertaking as the for-

mation of a new harbour upon a great scale must appear to the natives, would impress them with an idea of the stability and permanence of our Government, which they would argue would not undertake such works if it did not fully intend to complete them, and to reap the benefit of their construction. I mention this to show that there would be some immediate advantage from the very commencement of these works, independent of the great naval and commercial benefits which, of course, can only be realised when they are completed.

I think that a copy of these reports, and of the plan which accompanies them, should be forwarded to the Honourable Court and to the Government of India, with the strong recommendation of this Government that an engineer should be sent out without delay for the express purpose of making detailed plans and estimates. A copy should also be sent to the Government of Madras.

27 April 1858.

(signed) *Elphinstone.*

COPY of a MINUTE by the Honourable *A. Malet*, dated 27th April 1858.

I ENTIRELY concur; and am of opinion that Mr. Parkes merits the thanks of Government for so readily undertaking the duty of visiting and reporting on the port of Sedashegar, a duty which he and Captain Barker seem to have performed more completely than was to be expected, considering the short time that could be allowed.

27 April 1858.

(signed) *A. Malet.*

COPY of a MINUTE by the Honourable *H. W. Reeves*, dated 27th April 1858.

I HAVE long had my eye on this project, and regard it as one of the very highest importance to the prosperity of the Southern Mahratta country, the growing commerce and intelligence of which province appears to me intimately connected with it. There can be no doubt whatever that the trade of the Southern Mahratta country, and the territories eastward, is at present in a most unsatisfactory condition, owing to the want of a good and convenient port for shipment and discharge of goods. Everything has to go to or come from Bombay, and the expense and damage sustained in the trade by this needless extension of the carriage is inconceivable. I need not point out how fully the work proposed by his Lordship the President would answer the requirements of the trade; and it is scarcely necessary for me to add that the impulse which this work would give to the trade would be immediate and immense, as well as most beneficial to the interests of the people and to Government, inasmuch as it could not fail to greatly promote the general improvement of the country.

I fully concur in all that his Lordship the President has written; and I cannot but think that an immediate commencement should be made on whatever works may hereafter be determined on in consultation with Mr. Parkes, or other gentlemen deputed from home to perfect the surveys and draw up the estimates. His Lordship has taken a very moderate view of the political effect which the early commencement of this undertaking would have on the country. Those effects can hardly be over-estimated.

It is my expectation that the commencement of the works proposed by Mr. Parkes, by Government, will be accompanied by that of a railway by some private company between the river at Malleepoor and New Hooblee, in the Dharwar collectorate, or some other favourable point.

(signed) *H. W. Reeves.*

To accompany Bombay Government letter, Public Works Department, No. 1267, dated 6th May 1858.

(signed) *W. Hart,*
Secretary to Government.

No. 6.—ORDER thereon, No. 1092, dated 10th June 1858.

Para. 1. IN this letter the Bombay Government forward certain papers relating to the improvement of the port of Sedashegar, and intimate that they have strongly recommended to the Honourable Court of Directors and the Government of India that an engineer may be sent out as early as possible to prepare detailed plans and estimates for the improvements suggested.

2. The

2. The Right Honourable the Governor in Council observes that the proposal of forming a harbour of refuge in Sedashegar Bay has long engaged the anxious attention of this Government. During the last few years, however, the matter has assumed a more systematic form. The subject has been under the investigation of an officer of the Indian Navy whose services were obtained from the Bombay Government for that special purpose, and Lieutenant Taylor's surveys and reports have led to a lengthened correspondence with the Revenue and Engineer authorities of this Presidency as noted in the margin, and have as a consequence elicited much useful information. But in consequence of the financial pressure which precluded costly works being undertaken for a time, the Government resolved to employ the interval in collecting further and more satisfactory data to determine the utility and probable expense of the harbour works, and the necessity of those auxiliary improvements which were represented to be essential to develop the main work; and for this purpose they resolved to refer the whole correspondence to Colonel A. T. Cotton for his deliberate consideration and opinion.

Marine Letter.	
From Bombay, 16 Oct. 1854,	No. 1236
Letter from Marine Board, 21 Nov. 1855	
Marine E. M. C., 24 Dec. 1855,	286
From Chief Engineer, 14 March 1856,	1731
Pub. W. Ex. M. C., 23 April 1856,	551
Pro. Board of Revenue, 22 June 1857,	2143
Pub. W. Ex. M. C., 14 Aug.	1579
Letter from Lieut. A. D. Taylor, I.N., 27 July 1857	
Ex. Min. Con., 1 Sept. 1857,	No. 1664
From Govt. of India, 16 Jan. 1858,	271
Pub. W. Ex. M. C., 11 March 1858,	434
To Government of India, do.	483

To Honourable Court of Directors.
 Marine Letter, 7 Oct. 1856, No. 22, p. 14 to 31.
 Public Works ditto, 16 April 1858, No. 9.
 Letter from Colonel A. T. Cotton, Commandant
 of Engineers, 4 March 1858, No. 53.
 Extract Minutes Consultation, 11 May 1858, No.

3. An association organized in the manufacturing districts in Europe for facilitating the importation of Indian cotton, had also taken up the scheme of forming a harbour at Sedashegar with roads into the interior towards the great cotton district of Dharwar. Their communication was addressed to the Honourable Court of Directors, by whom it was transmitted to the Government of India and thence to this Government. The replies from this Presidency to the Government of India and to the Honourable Court of Directors in March and April last, represent the precise extent to which the investigations had arrived. Since the date of these communications the Government had under their consideration a memorandum prepared by Colonel Cotton "on the harbour of Beikul in Sedashegar Bay, and the internal communications connected with it." The Government, still anxious that the matter should be well deliberated upon, have ordered all the reports received from Lieutenant Taylor and Colonel Cotton to be printed and distributed to the engineers, and have requested the chief engineer to prepare plans and estimates of the work required. It was proposed to forward copies of the compilation to the Honourable Court of Directors and to the Government of India, and the Government intend to transmit a few copies to the Government of Bombay also. As, however, some time will elapse before the compilation is passed through the press, the Government resolve to forward at once a copy of the correspondence as noted in the margin of para. 2 of this resolution, to keep the Government of Bombay informed of the steps taken, and yet contemplated by this Government to the same end.

Ordered that the letter from the Bombay Government be communicated to the chief engineer, and to Colonel A. T. Cotton, and that the following letters be despatched.

(signed) *W. H. Bayley,*
 Acting Secretary to Government.

No. 7.—Ordered in consequence that the following letters be despatched:—

From *W. H. Bayley*, Esq., Acting Secretary to the Government of Fort Saint George, to *W. Hart*, Esq., Secretary to the Government of Bombay, P. W. D., dated 10th June 1858, No. 1093.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter of the 6th ultimo, and to forward in reply an extract from the Minutes of Consultation of this day's date, together with the correspondence therein referred to which will keep the Government of Bombay informed of the steps taken and yet in contemplation by this Government for the improvement of Sedashegar Bay.

No. 8.—From *W. H. Bayley*, Esq., Acting Secretary to the Government of Fort Saint George, to Major *R. Strachey*, Officiating Secretary to the Government of India, dated 10th June 1858, No. 1094.

Sir,

Para. 1. WITH reference to the letter to Captain Yule's address, dated 11th March 1858, No. 435, I am directed by the Right Honourable the Governor in Council to submit for the information of the Government of India a copy of a letter this day despatched to the Honourable Court of Directors on the subject of the improvement of the harbour of Sedashegar.

2. This Government have recently received a letter from the Bombay presidency respecting this particular work, in which it is intimated that the Bombay Government have

strongly recommended to the Honorable Court of Directors and the Government of India that an engineer should be sent out as early as possible to prepare detailed plans and estimates for the improvement suggested.

3. The Government of Bombay have been advised of the proceedings taken in the matter at this presidency, and it is only necessary for his Lordship in Council to express the hope, that the project may not be permitted to pass out of the hands of the Government whence it was initiated.

— No. 6. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Madras, dated 6th October (No. 3) 1858.

Para. 1. The information furnished by the letters noted in the margin regarding the proposed formation of a harbour at Sedashegar, in North Canara, goes far towards establishing two very essential preliminaries. No more convenient situation, it would seem, than that recommended could be found for one of the additional harbours so much needed on the western side of India, and neither serious difficulty nor disproportionate expenditure need apparently be anticipated in forming in that situation a harbour at once accessible, capacious, and secure.

from Government of Bombay, No. 17, dated 4 May 1858
 „ Madras, No. 9, „ 16 April „
 „ „ No. 13, „ 10 June „

2. At present there is not, along the whole line of coast southward of Bombay any anchorage deserving the name of a port; and even if the fact were otherwise, communication between such a port and the interior would almost everywhere be intercepted by the nearly continuous barrier presented by the western ghauts. About midway, however, between the extreme points of this range, an opening occurs, through which a river issues, and through which lines of road have been surveyed, leading from the cotton fields of Dharwar and Bellary in the rear to the sea at Sedashegar, a point two or three hundred miles nearer than Bombay, from whence the produce of the districts in question is now finally shipped for exportation to Europe. The bay which takes its name from Sedashegar is formed by a lofty headland projecting seaward for about three miles, and affording partial protection against the south-west monsoon, while some additional shelter is obtained from islets lying on the north and west. It is proposed to throw out breakwaters from Carwar Head on the south, and from one of the islets, and to connect another with the shore by means of a pier, which would serve to prevent the entrance of sand from the river. There would then be enclosed and screened from every wind an area of upwards of four square miles, having “a remarkably even bottom of stiff mud,” and a depth of water varying from 14 to 32 feet at low tide, and constituting a harbour capable of accommodating merchant ships of the largest description.

3. Breakwaters and piers are all that are absolutely necessary to form the harbour, other works, which have also been proposed, for the improvement of the river and for one or more canals, being accessories, which have no necessary connection with the main scheme. The cost of one of the breakwaters has been roughly calculated at about five lacs, but you have desired your chief engineers to prepare detailed plans and estimates, from which a more accurate idea may be obtained of the nature and extent of what is proposed. The Government of Bombay have recommended that a harbour engineer, of European experience, should be deputed from this country to prepare plans and estimates on the spot. I shall be better able to judge of the necessity for this measure after the plans and estimates prepared by your chief engineer are before me, as it is very desirable that they soon should be, for the importance of supplying greater facilities of export for the cotton of Dharwar and the adjoining districts can scarcely be overrated.

4. In the meantime, it may be remarked that even in its unimproved state, the Bay of Sedashegar appears to possess, to a certain extent, the advantages of a natural harbour. Beitkul Cove, at its southern end, is sufficiently protected against the south-west monsoon to be used as a place of refuge by coasting vessels, 18 of which are stated to have found shelter there during the whole season

season of 1856, and it seems likely enough, as is elsewhere stated, that it would be equally resorted to by ships in search of cargoes, were it not that there are no means of conveying thither cargoes of goods for shipment.

5. Roads leading to the site of the future harbour are, therefore, more immediately required than any improvement of the harbour itself, and no time should be lost in constructing one or both of the roads for which practicable lines have been traced over the Sengawarree and Kygah ghauts. In the formation of these roads particular attention is due to Colonel Arthur Cotton's proposal to lay down light rails on them, following the ordinary windings of the way. Such rails, even on the steep ghaut roads, might not improbably be made to answer very well for waggons provided with wheels so contrived as to turn freely round sharp curves, since the greater part of the traffic would be downward, and the ascent would generally be made by empty waggons. The plan is certainly worthy of trial. Should it succeed there can be little doubt that goods will be taken for shipment to Sedashegar, and that merchant ships will be sent thither to load; the capabilities of the port will thus be tested by actual experiment before measures are finally adopted for its improvement.

6. The subjects treated in this Despatch having been considered by me in Council, I have to transmit to you the foregoing observations.

I have, &c.
(signed) Stanley.

—No. 7.—

PUBLIC WORKS LETTER from *Madras*, dated 16 May, No. 28 of 1860.

WE have the honour to lay before you the accompanying papers regarding the long projected scheme of constructing a harbour of refuge at the Cove of Bétkal, in the Bay of Sedashegar in North Canara.

2. The project reviewed by the chief engineer is one prepared by Lieutenant Hunter, when acting district engineer of Canara, under instructions left him by Major Orr, late deputy chief engineer of the northern circle, and in general pursuance of the views of Colonel A. T. Cotton, as explained in his memorandum of the 3d March 1858.* Colonel Bell has considerably modified the project; the estimated cost being thus reduced from 15,61,600 rupees, as proposed by Lieutenant Hunter, to 8,30,000 rupees. In this final view of the project Colonel Bell has personally consulted Colonel Cotton, Majors Orr and Horsely, and Captain Carpendale, and Lieutenant A. Taylor of the Indian Navy, the able officer who has long been employed on the survey of the west coast, and also who, from his nautical knowledge, long experience on the west coast, and intimate acquaintance with the seasons, weather, currents, &c., at Sedashegar, is most competent to pronounce an opinion on the point at issue.

3. The modified plan makes the most of the natural advantages possessed by Bétkal as a harbour. These are such that even now it is capable of affording secure anchorage to a small number of large vessels; and there is nothing to prevent the use of the port, as it stands at present, as a harbour for trade, but the want of trade. To create such a trade it is only necessary to open a communication between the port and the productive country above the ghâts, from which it is now cut off. Colonel Bell recommends that a landing pier should be constructed during the time that the ghât is in course of formation. Referring you to the chief engineer's letter and our resolution, for the details of the proposed harbour works, we may mention in this place that the chief works proposed are a breakwater of a thousand feet in length, and a landing and shipping pier of wood and stone. The latter work has been recommended for early construction, at an outlay of 51,000 rupees; but deducting the estimated cost of a pile-driving machine to be afterwards returned to store, the amount is reduced to 31,000 rupees.

Proceedings of Government, 1st February 1860, Nos. 1 and 2.
Ditto - ditto 7th " " 89 and 90.
From Chief Engineer, 3d March 1860, No. 10,947, giving cover to the following :—
Letter from the Officiating Superintending Engineer, Northern Circle, 26th January 1859.
Ditto, Acting District Engineer of Canara, 18th April 1859, No. 350.
Ditto, District Engineer of Canara, 12th December 1859, No. 1.
Ditto, Lieutenant Taylor, I. N., 6th February 1860, No. 1.
Memo. by Captain Carpendale, Assistant to the Chief Engineer.
Abstract estimate and four plans.
Proceedings of Government, 25th April 1860, No. 856.

* Consultation, 1st June 1858, Nos. 55 and 56.

4. Approving of this proposal, we have directed the amount of 51,000 rupees to be entered in the budget of 1861-62, as no funds are available for the work in 1860-61. It will still be ready in time for the road down the Kyga ghát, leading direct to Bétkal, the immediate opening of a trace over which we have sanctioned under an advance of 10,000 rupees. Our object in now transmitting the present papers is to request that you will procure the opinion of one or more of the engineers of the highest reputation in connexion with harbour improvements, as to the proper works to be constructed at Sedashegar. Lieutenant Taylor himself returned to England by the steamer of the 14th March, and he will be able to give the engineer to whom the papers may be referred, the fullest and most exact information as to the circumstances of the place, the requirements of the port, the weather, the materials of construction at hand, &c.

Enclosures in No. 7.

No. 70.—READ the following letter from Colonel *J. H. Bell*, Chief Engineer, to *J. D. Bourdillon*, Esq., Secretary to Government, dated Chepauk, 3d March 1860, No. 10,947 :—

In the orders of Government, as per margin,* the subject of the Sedashegar or Bétkal harbour is treated of, and the chief engineer is directed to submit detailed plans and estimates of the necessary works of improvement, and also of the requisite communications between the port and the interior country.

May - 28th, 1858, No. 1,012.	August 30th, 1859, No. 2,080.
June - 10th " " 1,092.	February 7th, 1860 " 300.
November 24th " " 2,516.	Marine Department, March 30th,
March - 8th, 1859 " 517.	1859, No. 114.
April - 12th " " 858.	

Four charts and plans.
Four original letters and four enclosures.
One abstract estimate.
One copy of memorandum by the assistant to the chief engineer.
One letter from collector of Canara, April 23d 1859, No. 11.
January 26th, 1859, in No. 7,686.

2. Lieutenant Hunter, late Acting District Engineer of Canara, submitted, with a letter No. 350, dated 18th April 1859, a complete project for the improvement of the Sedashegar harbour, prepared according to the directions which he had received from Captain (Major) Orr, late Deputy Chief Engineer of the Northern Circle, and which are referred to in Major Orr's report submitted by Colonel Faber on the 7th of February 1859.

3. On the receipt of Lieutenant Hunter's project it was taken into consideration first by Major Orr, and after his transfer to the Mint, by Major Horsely and myself, in communication with Colonel Cotton; and as Lieutenant Taylor, I.N., was then expected at Madras, we determined to defer a decision on the merits of the project till the arrival of that officer should enable us to consult him in person, it being on record that he, who was better acquainted than any other public officer with the Bétkal Harbour, disagreed to a considerable extent with the engineers who had planned the improvements.

December 12th, 1859, No. 1.

February 6th, 1860.

4. Being afterwards informed that Lieutenant Taylor would probably not come to Madras on duty, I determined, when Captain Walker took charge of the district of Canara, to refer the project for his consideration and report, with reference especially to the criticisms of Lieutenant Taylor and of Captain Carpendale, who was then acting for the deputy chief engineer in charge of the Canara district, and who had given considerable attention to harbour works during his late furlough. Captain Walker's report was received shortly before the holidays, after which, as soon as an opportunity offered, the whole subject of the harbour and the inland communications was discussed by Colonel Cotton and myself with Lieutenant Taylor, who had by that time come to Madras, Major Orr and Captain Carpendale. After this Lieutenant Taylor, at my request, embodied his mature and final views of the project in the accompanying letter.

5. The chart of the Bétkal Bay shows at once that it must, in its present state, be a harbour, in which large vessels can obtain shelter during the stormy season of the year. The harbour is not used, because such shelter is very rarely required. No port on the coast, except Bombay, being resorted to during the monsoon, all ships give the coast a wide berth.

6. While, however, it is apparent that secure shelter is available in the Bétkal Roads, the degree of security can be known only from actual and prolonged observation of the direction of the winds, currents, and waves, and the variations of weather at different seasons. As we have no certain evidence on these points but Lieutenant Taylor's, I shall follow that officer's remarks in his letter of the 6th of February, together with those made at our personal consultation.

7. From November to February the land winds prevail, and the bay is then perfectly smooth; from March to the early part of May fresh and even violent north-westerly breezes occur at intervals of a fortnight, and on such occasions Lieutenant Taylor's vessel, when anchored near the Kúrmaghar and Dioghar Islands, laboured heavily, but when moved south towards Karwár head was soon in smooth water. This circumstance satisfies Lieutenant Taylor that no breakwater extending south-west from the islands could be required for the protection of vessels anchored at the bottom of the bay.

8. During the south-west monsoon from the latter part of May to the middle of August, the Bétkal Bay is, as might be expected, perfectly sheltered; and there is no break of the sea along the north shore of Karwár head, but only a long swell. For the remainder of the year, when the wind is westerly, there is occasionally a rather heavy sea, and the harbour shelter



shelter seems to be less perfect at this than any other period, though it is still sufficient for safety.

9. There is no current in the bay except in the monsoon months, according to Lieutenant Taylor, and its direction is then to the south meeting the swell of the monsoon. The current, pressed inwards by this swell, after passing along the east shore of the harbour, without depositing the river silt with which it must be charged to some extent in the monsoon, sweeps the northern face of Karwár head. The neck of the Sedashegar river was, in Lieutenant Taylor's opinion, breached by the lash of the waves from the south-west more than by the river floods.

10. From these circumstances, it appears that to render Béitkal a safe commercial port at all seasons, would not require nearly so great an outlay as that which is provided for in Lieutenant Hunter's project. Ships, it is fully believed, may already ride with safety in the Béitkal Road throughout the year and in all weathers; and as the communication with the shore by boats would also be uninterrupted, there is nothing even now to prevent the use of the harbour for trade but the want of trade. If there were any trade, the best time for conducting it at the port would be the south-west monsoon, because the cotton, which would form the great staple of the trade, would reach the coast immediately before the rains, and would be spoiled if kept at the port during their continuance.

11. It is thus clear that the most important matter is the creation of trade; for we have already a good shipping port, and a highly productive country to which the port is the most direct outlet, while communication there is absolutely none; and it is a remarkable circumstance that the best and most improvable harbour of all the coast of India is more completely isolated than almost any other part of the coast, for even to the south the communication is interrupted by Karwár head, and is full of difficulty except by sea.

12. The next point to be considered is the expediency of effecting the improvement of the harbour while the communications are in progress. Besides the formation of a road along the shore of Karwár head as the terminus of the inland communication, nothing appears to be essentially necessary; but there can be no doubt of the great advantage of works which would enable the ships to receive their cargoes at a wharf or pier head instead of from boats. For this purpose the long swell which prevails at the bottom of the bay during the south-west monsoon must be checked by a breakwater; and a landing pier being at the same time thrown out, would provide the means of the direct shipment of cargo, even in Lieutenant Taylor's opinion, before the completion of an effective breakwater, since there are many periods when there is no swell, and ships might be hauled off the pier, at night, and made fast to screw moorings.

13. The site, direction, plan and section of the breakwater are the points next to be considered. About the site there is no material difference of opinion, it being essential that the work should be placed far enough to seaward to afford abundant room in the harbour, and yet not so far as to lessen its protective power. The direction is equally important for the same reason. That of Lieutenant Hunter's work is fixed with reference to the auxiliary breakwater proposed to be formed from the islands. Lieutenant Taylor, who considers the second breakwater unnecessary, would increase the protective influence of the southern work by causing it to tend more towards the harbour.

14. As to the plan, Lieutenant Taylor is decidedly in favour of an opening for vessels between Karwár head and the breakwater, where the water is deep enough for ships of burden. The breakwater would thus begin, not from the head, but from a point 400 feet distant, which, for the purpose of constructing the breakwater, would be covered with a temporary staging. The reason given by Lieutenant Taylor for this plan is that the smoothest water is at all times along the face of the cliff, and that on the other hand, a ship leaving the harbour would encounter a heavy swell if obliged to pass round the seaward end of the breakwater. This argument appears sound, and as there would be no objection, beyond some increase of expense, to beginning the breakwater at any convenient distance from the head, this appears to be the wisest course of procedure, since if the aperture left for vessels should turn out injudicious, it could be closed at any time without difficulty or trouble.

15. The section of the breakwater should be that which is most approved by experience, namely, a steep slope on both sides below the action of the waves, and a very easy one above to seaward, the inward slope being the same throughout. The work may be of small stones on the harbour side, and of large masses on the other. There is no necessity to use staging in the construction. The experience derived from the construction of the northern ancients shows such an expensive appliance to be superfluous. An embankment of small stones should be found to carry two lines of railway, from one of which small stones would be thrown to the right and from the other large masses to the left. As above said, a staging would be required across the gap between the head and the breakwater, and this would obstruct the exit of vessels in the monsoon until the completion of the breakwater; and vessels that may resort to the harbour during this period will, therefore, be obliged to leave it by passing the northern end of the breakwater.

16. The pier proposed for shipping cargo does not require particular remarks, since its construction with wooden piles will be simple and easy. The cove of Béitkal, which is already used for sheltering small vessels, will remain as it is.

17. As to the rates of work, it must be admitted that it is very difficult to fix them with any accuracy for a new species of work in a new locality. Captains Carnendale and Walker think the rates of Lieutenant Hunter's estimate too high; but Major Orr, who has had great experience in blasting and quarrying operations, is satisfied that they ought not to be reduced.

18. The length of breakwater proposed by Lieutenant Taylor is 1,000 yards, which will be 1,133 yards from the head, after allowing for the opening, and will, if Lieutenant Taylor's views are sound, be effective for the whole distance. This distance may be considered as sufficient in the first instance, and I have revised the Estimate accordingly. The area sheltered by the proposed breakwater will be 25,000 square yards, sufficient for any number of vessels that can possibly be expected to resort to the port at one time for a long period.

19. Under the present modification of the project, it appears quite unnecessary to consider the question of closing the new mouth of the Sedashegar River; for the breakwater reduced in length, with an opening at its south end, will no longer be supposed capable of intercepting the river silt, and causing it to settle in the harbour; and it may be added that long before any great progress is made with the breakwater, there is every probability that another natural change will take place in the mouth of the river.

20. The closure of the strait between the coast and Kúrmaghar Island, which has been also recommended, in the belief that the southerly current from that point will deposit silt in the harbour, is in like manner a question of no present importance. The officers who have charge of the harbour works will have abundant opportunity of observation of the currents and deposits which affect the harbour, and will be far better able after some time to judge of the necessity of remedial measures, than any one can now be with only theory for a guide.

21. The canal from the Sedashegar River to the harbour is, as Captain Walker observes, a subsidiary work, which it is quite unnecessary to include in the harbour project.

22. The project as now revised contains the undermentioned works:—

				Rs.
Breakwater from Cárwar head	-	-	-	6,05,300
Road	-	-	-	10,000
Timber staging	-	-	-	18,500
Landing and shipping pier, stone work,	Rs. 15,500			21,500
Ditto ditto wood work,	6,000			
Plant	-	-	-	97,400
Superintendence	-	-	-	34,020
Contingencies	-	-	-	43,280
				Rs. 8,30,000

23. The landing and shipping pier will be partly of stone, and partly of wood. The expense of either species of work being much the same, the exact lengths of each may be determined by the executive officer, according to circumstances.

24. Of these works it appears to me that the landing and shipping pier should at all events be undertaken simultaneously with the inland communications. It will rest with superior authority to determine whether or no the breakwater should also be proceeded with or deferred till a trade has actually been created at the new port. Of the communications, the Unshy or Singawarri ghát was long ago traced, estimated and sanctioned, and a portion of the estimate of rupees 1,26,400, is in the Budget of 1860-61. For opening a wide trace on the Kyga ghát, which is far more important for commercial purposes, 10,000 rupees have been sanctioned for 1860-61.

25. The following comparative statement shows at one view the items of Lieutenant Hunter's, and of the revised estimate:—

Nature of Work.	Lieutenant Hunter's Estimate.		Present Estimate.	
	Quantity.	Amount.	Quantity.	Amount.
Breakwater	{ 1 of 1,500 yds. 1 of 1,100 do. }	Rs. 12,41,707	1 of 1,000 yds.	Rs. 6,05,300
Excavation of a Canal	m. f. yards. 3 6 153	49,830	—	—
Entrance Piers, Sluicing Gates, Platform, &c.	- - -	25,240	—	—
Bridges	- - - 2	11,340	—	—
Road	- - -	20,000	- - -	10,000
Plant	- - -	1,12,107	- - -	97,400
Superintendence	- - -	1,01,306	- - -	34,020
Timber staging	- - -	-	400 feet	18,500
Ditto ditto	- - -	-	200 "	6,000
Stone Jetty	- - -	-	500 "	15,500
Contingencies	- - -	-	- - -	43,280
TOTAL	- - - Rs.	15,61,600	- - -	8,30,000

26. If the pier should be sanctioned separately, the amount required for it would be :—

	Rs.
Estimate as above - - - - -	21,500
Pile-driving machine, to be afterwards transferred to stores -	20,000
Other plant - - - - -	3,000
Superintendence - - - - -	3,000
Contingencies - - - - -	3,500
	Rs. 51,000

No. 71.

ORDER THEREON, 25th April 1860, No. 856.

THE chief engineer reports in this letter on a project elaborated by Lieutenant Hunter, late Acting District Engineer of Canara, for the construction of a harbour at Béitkal Cove, in the Bay of Sedashegar. Lieutenant Hunter worked out his plan under instructions given him on the spot by Major Orr, then Deputy Chief Engineer on circuit, in general pursuance of the views of Colonel A. T. Cotton, as set forth in his memorandum of the 3d March 1858.

2. After consultation with Colonel Cotton, Majors Orr and Horsley, Captain Carpendale and Lieutenant Taylor of the Indian Navy, and considering the natural advantages of Sedashegar as stated by the last-mentioned officer, Colonel Bell has materially modified Lieutenant Hunter's project, rejecting some extensive and costly parts of it, and has reduced the cost from 15,61,600 rupees to 8,30,000 rupees. Colonel Bell bases his proposals on the evidence of the most competent authority on the point, viz., Lieutenant Taylor, as to the degree of security available in the Béitkal roads, the direction and force of the winds, currents, and waves, and the variation of weather at different seasons; and he states that even now there is nothing to prevent the use of the port as a harbour for trade, to some extent, but the want of trade; and that nothing is wanted to create a trade, except a road into the interior for the purpose of giving access to the port from the cotton country above the gháts.

3. The works which Colonel Bell considers necessary to make a completely secure and commodious harbour are the following :—

	Rs.
A breakwater of 1,000 yards in length, running in the direction of about north-north-east from Karwar head, but commencing 113 yards, or 400 feet from it, thus leaving an opening between the cliff and the breakwater for the passage of vessels - - -	6,05,300
Timber staging across this opening, to enable the construction of the breakwater - - - - -	18,500
Formation of a road along the foot of Karwar head or promontory as the terminus of the inland communication - - - - -	10,000
A pier of wood and stone, to ship and land cargoes - - - - -	21,500
Plant - - - - -	97,400
Superintendence - - - - -	34,020
Contingencies - - - - -	43,280
	Rs. 8,30,000

4. Of these works, Colonel Bell recommends that the pier should be undertaken simultaneously with the inland communications, the breakwater being left for future consideration after the creation of a trade; and if the Government agree in this suggestion, he estimates the outlay necessary for the pier at 51,000 rupees, as follows :—

	Rs.
Pier itself as estimated for above - - - - -	21,500
Pile-driving machine (to be returned to store) - - - - -	20,000
Other plant - - - - -	3,000
Superintendence - - - - -	3,000
Contingencies - - - - -	3,500
	Rs. 51,000

5. If it were necessary to decide at once, the Government would be prepared to adopt Lieutenant Taylor's opinions, supported as they are by his long and close observation of the seasons and weather at Sedashegar, and by his nautical knowledge and experience. But it is not necessary to decide at once, because, important as the work in contemplation is, it is not of present urgent necessity, inasmuch as till communication is established between the port and the interior, ships will not resort to Béitkal. As it is desirable to obtain all available assistance in forming a judgment, the Government resolve to transmit the papers to the Right Honourable the Secretary of State, with the request that he will procure the opinion of one or more of the engineers of the highest reputation in connexion with harbour im-

provements, as to the proper works to be constructed at Sedashegar. It will be pointed out to him that Lieutenant A. Taylor has himself gone home, and that he will be able to give the engineer to whom the papers may be referred, the fullest and most exact information as to the circumstances of the place, the requirements of the port, the weather, the materials of construction at hand, &c.

* Proceedings of Government, 1st February 1860, No. 265.
Ditto, 2d February 1860, No. 274.

6. Sanction has been already given* for opening a trace down the Kyga ghât direct to Bêitkal Cove, which will place it in direct communication with the cotton-producing country above the ghâts, and no time will be lost in improving this communication into a good road, so far as means may be available.

7. In accordance with Colonel Bell's recommendation, the Government sanction the landing and shipping pier, estimated to cost, with the other charges as above noticed, 51,000 rupees, and direct the entry of the amount in the Budget of 1861-62. But adverting to the charge of 20,000 rupees for a pile-driving machine, the Government would wish the chief engineer to consider whether screw piles might not be better, and not more expensive. No funds are available for the work in 1860-61, and, even if undertaken in the first-mentioned year, it will still be ready in time for the road down the ghât.

(signed) J. D. Bourdillon,
Secretary to Government.

— No. 8. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Madras, 16 August (No. 50) 1860.

Para. 1. I HAVE had under consideration in Council the papers transmitted with your letter, No. 28, of 16th May last, respecting proposed improvements in Beitkul harbour, and I have derived additional information on the subject from personal communication with Lieutenant Taylor, of the Indian Navy, and also from the Report dated 25 May 1859, of the Commission appointed by the Bombay Government to investigate the question of the best approaches from Dharwar to Sedashegar.

2. From the information thus obtained, I am disposed to think that the only measures which need be adopted immediately are the formation of one or more good roads from Beitkul to the country beyond the ghauts, and the erection of a small landing pier in the harbour; and for both these purposes arrangements have already been made by you, though from the Report of the Commission alluded to above, it would seem doubtful whether a line of road through the Barbull ghât would not have been preferable to the one actually selected by way of Kygah.

3. The preliminary works already sanctioned by you will suffice to develop, to a certain extent, the capabilities of Beitkul, and until the result shall have shown itself in the attraction to the place of some considerable amount of trade, the construction of a breakwater of an estimated cost of more than six lacs of rupees had better, I think, be postponed. In order, however, that the opportunity afforded by Lieutenant Taylor's presence in England may not be lost, that officer shall at once be placed in communication with an eminent engineer in this country, whose opinion shall be requested as to the description of breakwater to be hereafter constructed.

(signed) C. Wood.

EXTRACT REPORT from the Dharwar and Sedashegar Road Commission, dated 25 May 1859, referred to in No. 8.

23. WE now come to the most important part of our proceedings, that which relates to the port of Sedashegar and the best approaches to it from Dharwar.

24. Government have been made so fully aware of the advantages which this port possesses that it seems almost unnecessary to allude to them.

25. Beitkul harbour in Sedashegar Bay, situated from two to three miles south of the town of Sedashegar, and of the mouth of the Kalee Nuddee river, is, even in its present unimproved state, not inferior, and it is capable of being made superior to any other port on the western coast of India, excepting, perhaps, Bombay. Among the native boatmen on the coast, it has the reputation of affording a safe anchorage in all seasons and in all weathers. The force of the swell from the north-west, the only side on which it presents any appearance of being exposed, is doubtless broken by the lofty promontory

of

Advantages of
Beitkul harbour.

of Loliem, and by a chain of islands,* which protect the harbour from the north-west, and render it almost landlocked. No river discharges itself into the harbour portion of the bay at the risk of silting it up; no bar obstructs its entrance; but vessels of any size can enter without the slightest difficulty at all times of the year, and can anchor in deep water with a muddy bottom 300 yards from the shore. At this anchorage they can be laden from cargo boats at all seasons, even during the force of the south-west monsoon, when boats cannot approach the shipping at Bombay. Cyclones, which periodically sweep the coast, and meet with no opposition in entering the broad mouth of the Bombay harbour, inflicting great damage in the course of a few hours upon the shipping, pass harmlessly by the land-locked harbour of Beikul Bay.†

* Coormaghur Sangeeree, the Oyster Rocks.

26. The salubrity of its situation invites the settlement of Europeans at Beikul; for high land in its vicinity reaching to the height of 1,800 feet above the sea offers sites for dwelling houses in an excellent climate.

27. This admirable, but hitherto neglected harbour, is, as a glance at the map will show, the nearest point on the coast to the town of Hooblee, which is the chief centre of the commerce of the Southern Mahratta Country. A good approach from that town to Beikul, which is only about 92 miles distant from it, will enable merchants to ship their cotton directly to England in the same season in which the crop is gathered. The cost of transport to the coast would thereby be lessened; the expenses of transshipment to the distant harbour of Bombay would be saved; the value of the fibre would be enhanced by escaping the deterioration which it now suffers from being detained for a rainy season imperfectly warehoused in the interior; and when its character is raised in our markets, a steadier demand for it will doubtless ensure a larger supply. But even if our merchants delay to avail themselves of Beikul harbour as a port of direct shipment to Europe, and the present mode of transshipment to Bombay is continued, the immediate opening out of the harbour still offers great advantages.

Accessibility to the town of Hooblee.

Importance to the cotton trade.

28. It is from two to four days sail nearer to Bombay than Coompta or Tuddree during the period (from March to the commencement of the south-west monsoon) when the cotton is shipped to Bombay, and when north-west winds prevail. Besides tindals‡ will be encouraged by the shelter of Beikul harbour to take in cotton for several weeks longer than in the open roadstead of Coompta, and watch for favourable weather to sail with it up the coast. The season for the coasting trade would thus be prolonged, and larger supplies of cotton would be received at Bombay before the monsoon.

Its importance to the coasting trade.

‡ Masters of native craft.

29. The execution of works of great magnitude, involving the expenditure of many lacs of rupees, has been recommended,§ with a view to render Beikul Bay an immense still-water harbour; but, if this is necessary, the magnitude of the estimates must in the present state of our finances indefinitely postpone their sanction, and the use of the port.

Works previously recommended.

§ Reports on the harbour of Beikul in Sedashegar Bay; printed by order of the Government of Madras.

Not immediately required.

30. We are, however, unanimously of opinion that the desired object (the opening out of the port to commerce) can be gained at a very moderate outlay, by the construction of a good road from the point where the Hooblee and Hullial roads to Yellapoor meet, a few miles to the north of the latter town. That it should proceed down the Barbul ghat, along the south bank of the river, to the west side of Beikul cove, where it should terminate in a rough jetty provided with a crane. Country craft and cargo boats could lie alongside of this pier, and large vessels could at all times be laden in safety at moorings within 150 yards of it.

Nearest navigable point on the Kalee Nuddee.

|| Native coasting vessels.

¶ 50 tons.

31. There is water communication for pattamars|| of 200 ¶ candies burden from Mullapore, 20 miles above the mouth of the Kalee Nuddee, to Sedashegar; but not to Beikul, which is situated two or three miles to the south of the entrance into the river. Beyond Mullapore the river cannot be said to be navigable in its present state, owing to rocks and rapids; but it may perhaps, at great expense, be made so hereafter for several miles higher up the stream. But we do not recommend that the road to Beikul should be made to terminate at Mullapore, because laden boats would experience difficulty in getting out of the mouth of the river and round to Beikul during strong winds, even in the fair season. In the monsoon, they could not attempt to leave the river at all. It has been proposed to remedy this defect by digging a canal from the inside of the bar of the river to Beikul cove: but the length and direction of the canal must be determined hereafter by the nature of the harbour that is to be formed, the execution of the work would cause considerable expense and delay; and, after it had been completed, it would be found that laden boats are unable to stem the force of the river stream during freshes in the monsoon, and that merchants, even if the navigation were at all times open, would prefer the short land journey of 17 miles from Mullapore to the harbour, to the necessity of keeping up separate establishments and trustworthy agents to protect them from depredation during the transshipment of their goods.

32. We therefore beg to recommend that the road should be continued all the way to the pier, at which troops and stores could be landed and passed up the country even in the height of the monsoon.

Road recommended instead of canal.

33. The line of road that we have recommended, from Hooblee to Beikul over the Barbul ghat, is the shortest and most direct that could be selected. Passing over the country that divides the Kalee Nuddee from the Baidti river, it avoids all streams of any magnitude; and, as far as a careful examination of the line without instruments shows, we have reason to believe that an excellent and comparatively inexpensive road can be made along it.

34. It

† See para. 5 of Captain Taylor's Report, dated 27th July 1857, addressed to the Secretary to the Government of Madras.

34. It is in all about 92 miles in length. A fair road has been made over the first 39 miles of it, commencing at Hooblee; and of the remaining 53 miles requiring to be made, about 10 may be classed as ghat.

35. If sanction is further accorded to the proposition that has been made to construct 11½ miles of road from Bunkapoor to the Madras frontier near Moondagode, from whence there is already cart communication with Yellapoor, an excellent outlet will be afforded for the New Orleans cotton of the Bunkapoor district to the coast at Beikul by the Barbull ghat; and then the communications between the Dharwar districts and the sea will be nearly complete.

36. The Kyga ghat line, leading from Yellapoor to Mullapoor, and as yet only partially traced, appears to ascend too near the coast, occasioning a considerable descent on the other side. It is, besides, less direct than the line by the Barbull ghat.

37. All the other ghat lines selected in North Canara have at least one formidable river to cross.

38. From the right or north bank of the Kalee Nuddee opposite Mullapoor, and therefore on the wrong side of the river, a line of road has been traced, and partially opened out, by the Unshy ghat and Dandelli to Hullihal, but the line is not the most direct to Hooblee. The road descends for several hundred feet on the other side of the Unshy ghat, passes over a difficult country beyond, including two rivers, the more considerable of which, viz., the Kalee Nuddee at Dandelli, could not be bridged without involving a greater expenditure than would be incurred in opening out the entire line that we have recommended over the Barbul ghat. A road of easy gradient, averaging 10 feet wide, has been traced up the precipitous Unshy ghat, but not quite opened out for cart traffic.

39. We beg to recommend that the small additional expenditure required to make this road passable by carts in the fine weather should be incurred, because it will not only be always serviceable for the timber and other traffic along its own line, but it will also be available as an additional outlet to commerce when cholera, scarcity of forage, or other causes, temporarily close other roads.

40. For similar reasons we think it desirable that the remaining obstacles to traffic which still exist on the otherwise good road that has been open for some years past between Dharwar, Hullihal, and Yellapoor should be removed, by providing bridges over the Tuttee-hulla river, where it crosses the line twice between the two last-named places.

41. This road will then afford an alternative line of commerce, and an outlet for the traffic of some parts of the Belgaum and Dharwar zillas.

42. To recapitulate, the works that we recommend for immediate sanction before all others, are those which will render Beikul harbour at once available as a port for general commerce, and to place the town of Hooblee in communication with it by roads leading over the Barbul ghat. These works, including the jetty and crane at Beikul Cove, can, we think, be effected at a cost not exceeding 70,000 rupees.

43. The details of this rough estimate are,—

	Rs.
For 10 miles of ghat, at 2,000 rupees per mile	20,000
For the remaining 43 miles, at 1,000 rupees per mile	43,000
Jetty, crane, levelling, &c.	7,000
	Rs. 70,000

We think that this sum would be sufficient to open out the road and harbour at once to commerce, but that greater expenditure must be incurred hereafter according as the requirements of trade may demand.

44. We further recommend as next in importance, that an expenditure of about 20,000 rupees should be sanctioned for the completion of a cart road to the Goanese frontier over the Tinni ghat, and for connecting it at Heemergee with the Kittoor and Tulleewaree line; and, lastly, that such expenditure be incurred as may be required to make the Hullihal, Dandelli, and Unshy ghat line available for commerce during the fair weather, and provide two bridges on the Hullihal and Yellapoor road.

45. The matters that we have discussed refer to works mostly belonging to the Madras Presidency, but they bear so intimately on the interests of the Presidency of Bombay also, that they will doubtless be considered and disposed of as Imperial questions.

46. We have endeavoured to confine our remarks strictly to the points on which we were called on to report, and have therefore thrown into Appendices, which will be submitted hereafter, all other information of interest that we have been able to collect.

We have, &c.

(signed)

T. Ogilvy, Collector.

W. C. Anderson, Captain and Superintendent
Revenue Survey and Assessment, s. m. c.

J. W. Playfair, Captain, Executive Engineer,
Dharwar Collectorate.

A. D. Taylor, Lieutenant, Indian Navy.

G. F. Forbes, Civil Surgeon, Dharwar.

Outlet for New
Orleans cotton.

The Kyga ghat.

Other ghat lines.

Unshy ghat line.

Recommended to
be made a fair
weather road.

Hullihal and
Yellapoor road.
Two bridges to be
built.

Use of the road.

Recapitulation.

70,000 rupees.

Communication
with Goa.
20,000 rupees.

Hullihal and
Yellapoor road.
Conclusion.

— No. 9. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of
Madras, dated 31st August (No. 53), 1860.

1. The Cotton Supply Association of Manchester have acquainted me that a Company, already formed in that city, is preparing to establish agencies in Dharwar for the purchase, cleaning, and packing of cotton, and for its shipment direct from Sedashegar to Liverpool.

2. I have informed the Association that, should the Company be desirous of purchasing sites for warehouses in the neighbourhood of the port, proposals from them to that effect will be favourably entertained by your Government, as far as such sites may be at your disposal.

(signed) *C. Wood.*

— No. 10. —

PUBLIC WORKS LETTER from *Madras*, dated 4th October (No. 65), 1860.

1. Adverting to the latter portion of para. 2 of your letter of the 16th August 1860, No. 50, on the subject of proposed improvements to the port of Sedashegar, in North Canara, we have the honour to forward the papers noted in the margin relative to the choice between the Kaigah and the Barbal ghât.

To Government of India,	30 April -	1860, No.	2198, para.
Order thereon	- 25 May -	"	" 1087
From Chief Engineer -	30 June -	"	" 2184
Order thereon	- 11 July -	"	" 1492
From Chief Engineer -	2 August	"	" 3318
Order thereon	- 20 "	"	" 1774
To the Government of India	20 "	"	" 1775
From ditto -	- 7 September	"	" 4635
Order thereon	- 3 October	"	" 2056

2. In accordance with a desire to that effect expressed by the Government of India, we called on Captain Walker, the district engineer of North Canara, to explain his reasons for preferring the Kaigah line, and how far he was personally acquainted with both lines. Captain Walker stated in reply that his opinion was based on personal inspection of the whole of the Kaigah route, and the greater portion of the Barbal, and that his information regarding the part of the latter route unseen by him, probably 15 miles in length, was derived from the diary of Captain Francis for January 1846. This report was transmitted to the Government of India, who expressed their satisfaction with it.

— No. 11. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government
of *Madras*, 15th December (No. 63), 1860.

1. I have had before me in Council your letter, No. 65, dated 4th October 1860, relative to the choice between the Kaigah and Barbal ghauts for the construction of a road connecting the Dharwar cotton districts with the port of Sedashegar.

2. You will observe from the enclosed advertisement that a Company is being formed for the purpose of buying cotton in Dharwar, and shipping it to England from Sedashegar.

3. I desire to give every encouragement which can properly be afforded by Government to the operations of the Company, and it will be desirable that no time be lost in completing the road to Sedashegar. I shall not, therefore, make any objection to the preference which, upon the representation of Captain Walker, you propose to give to the Kygah ghaut.

(signed) *C. Wood.*

Enclosure in No. 11.

COTTON COMPANY (LIMITED).

Capital 1,000,000 £; in 1,000 Shares of 100 £. each. Deposit, 5 £. per Share.

PROVISIONAL DIRECTORS.

Thomas Bazley, Esq., M.P., Chairman.
 John Cheetham, Esq., Stalybridge.
 Edmund Ashworth, Esq., Egerton Hall, Turton.
 John Pender, Esq., Manchester.
 John Platt, Esq., Oldham.
 Hugh Mason, Esq., Ashton-under-Lyne.
 James Marshall, Esq., Stockport.

Edward Carrington Howard, Esq., Stockport.
 Thomas Emmott, Esq., Oldham.
 Robert Platt, Esq., Stalybridge.
 Harold Littledale, Esq., Liverpool.
 Thomas Barton, Esq., Ardwick.
 Frederick Steiner, Esq., Accrington.

Treasurer—John Platt, Esq., Oldham.

Bankers—The Manchester and Salford Bank. Solicitors—Messrs. Foster, Churchill, and Peacock.
 Brokers—Henry Rawson, Esq., Arcade, Manchester, and J. A. Mann, Esq., 124, Fenchurch-street, London.
 Auditor—David Chadwick, Esq. Secretary—Mr. G. R. Haywood.

THE objects of this Company are to purchase cotton direct from the grower in India, Australia, and other countries, and to afford encouragement to the general cultivation of cotton. The first operations of the Company will be directed to the district of Dharwar in India. The Government is now constructing a road to connect the cotton districts of Dharwar with the new port of Sedashegar, at which port a cotton pier will be erected, which the Company will have the advantage of using. The directors are in possession of the fullest information derived from merchants, as well as from Government officers on the spot, proving that there is a wide and exceedingly profitable field open for the action of this Company. Abundance of good and cheap cotton may be obtained, capital chiefly being wanted for its purchase and to extend production.

The formation of this Company has grown out of the active exertions of the Cotton Supply Association, and the provisional directors confidently appeal to the spinners and manufacturers for co-operation in carrying out the important object they have in view; and before subscriptions can be received from the general public it is intended that the first half of the proposed capital shall be subscribed by the cotton trade.

Clean cotton can be purchased in many parts of India at prices ranging from 1 *d.* to 2½ *d.* per pound, and with economical management the Company has the prospect, in a reasonable time, of declaring the most satisfactory dividends. Further information, prospectuses, &c. may be obtained on application to G. R. Haywood, Secretary, 1, Newall's Buildings, Market-street, Manchester.

FORM of Application for Shares.

To the Provisional Directors of the Cotton Company (Limited).

Be pleased to allot me _____ shares, of 100 £. each, in the Cotton Company (Limited).

Name. _____

Address. _____

Date. _____

Applications for shares (addressed to Mr. G. R. Haywood, Secretary to the Company) must be sent in not later than the 1st December next.

1, Newall's-buildings, Market-street, Manchester.

— No. 12. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, dated 28th February (No. 10), 1861.

Para. 1. THE question of detaching the district of North Canara from the Presidency of Madras, and of placing it under your Government, has been recently under my consideration in Council, and a Despatch has been addressed to the Government of India, directing that if no insuperable objections to the arrangement exist, steps may forthwith be taken for carrying it into effect.

2. It is consequently necessary that you should be fully informed of what is being done, or is about to be done, with a view to the improvement of the port of Sedashegar, and copies of a Despatch* on the subject from the Government of Madras, and of my reply † thereto, are herewith enclosed. With reference to the

* No. 7.

† No. 8.

the concluding paragraph of that reply, a copy of a Report on Sedashegar by Mr. Abernethy, C.E., is also transmitted herewith, together with plans of the breakwater which he recommends, and likewise copies of a supplementary note by Mr. Abernethy, and of a letter from Lieut. Taylor, I. N.

3. In the present state of Indian finance, I am not prepared to sanction the adoption of Mr. Abernethy's proposals, particularly as I understand that there is already shelter in the harbour for a certain number of vessels; but there can be little doubt that cotton in considerable quantities will eventually be exported from Sedashegar, and the improvement of the harbour will become necessary as the trade of the place increases.

4. A light should, however, be placed on the Oyster Rock at once.

I have, &c.
(signed) C. Wood.

Enclosures in No. 12.

FORT OF SEDASEGAR, MALABAR COAST.

To the Secretary of State for India.

Sir,

3, Parliament-street, Westminster,
26 October 1860.

IN accordance with your instructions of date the 14th ult., transmitted by Mr. Melvill, I have considered the subject of the construction of a breakwater for the formation of a harbour in Sedashegar Bay. I have also carefully perused the various plans and papers forwarded to me, and conferred with Lieut. Taylor, I. N., whose intimate knowledge of the locality has enabled him to furnish valuable data for my guidance.

I am of opinion that few points on the coast of India offer greater natural advantages for the formation of an important harbour than Sedashegar Bay.

1st. From the protection afforded from the south-west monsoon by the lofty promontory termed "Carwar Head," at its southern extremity

2d. From the fact that the water is sufficiently deep for large vessels, with good holding-ground for anchorage, free from rocks or shoals.

3d. From the facilities afforded for procuring all requisite materials for the construction of works at, or a short distance from, the site.

Although not strictly within my province as an engineer, I may add, that after Lieut. Taylor's explanations, I am deeply impressed with the extensive and valuable tract of country which would be accommodated by such a harbour, and the facilities for transport to and from it.

On the accompanying general plan, No. 1, I have therefore indicated the position of a breakwater, enclosing a large portion of the bay, as, independent of the commercial advantages of the position, it would serve as a haven of refuge for an extensive district of coast.

But the works may be carried out progressively as the requirements of shipping and commerce may require; every portion of the breakwater executed adding to the effective sheltered area of anchorage.

The most extensive plan proposed is shown by dotted lines; but I am of opinion that a main line of breakwater, as tinted red on the plan, would enclose an area amply sufficient for all present and future purposes. The total length of this breakwater is 7,800 feet, inclosing a harbour area of,—

600 acres, with a depth of four fathoms and upwards at low-water spring tides.

850 acres, with three fathoms and upwards.

1,000 acres, with two do do.

Modifications of this plan are shown by shortening the main line of breakwater, and adding kauls to shelter from the north-west seas, marked Nos. 2 and 3.

The first of these affording a sheltered area of—

450 acres, four fathoms and upwards.

600 acres, three do do.

700 acres, two do do.

The last—

270 acres, four fathoms and upwards.

320 acres, three do do.

360 acres, two do do.

A still further reduction of the plan would be the execution of 1,000 yards of the main line of breakwater which would enclose a sheltered area of,—

190 acres, four fathoms and upwards.

210 acres, three do do.

230 acres, two do do.

In regard to the form of breakwater, that suggested in the reports of the various engineers submitted to me consists of a mound of rubble stone deposited in the sea, to a height of two feet or thereby, above high-water level, having uniform slopes of two to one landward and three to one seaward, and it is proposed to deposit this mound without the aid of timber staging.

It is physically impossible to execute a breakwater of such a form and in such a manner. Extensive experience on the shores of this country has determined closely the form which a rubble mound eventually assumes by the action of the sea, as shown on the transverse section drawing No. 2; and it has been found that the best mode of carrying out such a work is by means of timber staging.

I disapprove of such a form of breakwater, exposed to the long swell of the Indian Ocean. Under any circumstances, I think it objectionable, as it involves an unnecessary expenditure of time and money in construction and future maintenance.

On drawing No. 2, I have indicated a form of breakwater, which I am of opinion is well adapted to the resources of the locality, and capable of being executed at a comparatively moderate cost, and, what is of the utmost consequence, in a comparatively short period of time. This mode of construction I have adopted on the north-east coast of England, at Falmouth and Port Natal, South Africa, on an extensive scale, with success. The following brief description will generally indicate its nature:—

Experience having determined that at a depth of 12 to 15 feet a mound of rubble stone deposited in the sea remains at its natural angles of repose, I propose in the first place to form such a mound, having previously driven piles as a staging, the rubble being deposited around them, resting on these piles and the top of the rubble mound. A timber superstructure is placed previously framed, and put together on shore, the interior being loaded with rubble stone. The comparative economy as regards the quantity of this class of material will be apparent on comparing the sectional area of the structure with that of the proposed mound, the quantity of timber required being only a little more than that which would be requisite as mere staging for depositing the stone of the latter structure "*in situ*."

In this case the framework encloses, and serves as a facework to the rubble, adding to the weight of the latter the continuity of structure obtained by the timber framework; an effective breakwater, which has been amply proved capable of resisting the action of the heaviest seas, is thus formed, dependent, as regards durability, on the quality of the timber employed.

The great advantages derived from this mode of forming breakwaters are,—

- 1st. That effective shelter is afforded to the shipping in a short period of time; and,
- 2nd. That it provides the means of executing, at a future period, an enduring stone structure with rapidity and economy.

In this country thoroughly creosoted timber is found to resist effectively the ravages of the boring worms, and I believe that teak and other hard Indian woods are found to do the same, and the probability is, that the stone structure may be deferred for a long period of time, or be carried out from time to time as circumstances may render desirable.

From information derived from Lieutenant Taylor, and the various reports transmitted to me, an ample supply of timber and stone of the best quality can be procured at the immediate locality, the stone being granite or greenstone, and extensive forests of teak and hard timbers are to be found immediately on the banks of the adjoining river.

In addition to the construction of the breakwater, it is desirable to preserve the embouchure of the river in a fixed direction by a hulwark, as shown on the general plan, No. 1; and for the safety of vessels entering the harbour, to exhibit a revolving light to indicate the position of "Carwar Head," a fixed light on the "Oyster Rocks," and three leading lights on the mainland, in the lines of the north and south entrances, as shown on the general plan.

As regards the question of estimate, taking as a guide the cost of the works at the neighbouring harbour of Bombay, which from long experience is found to approximate to the standard of this country, I am of opinion that the estimates contained in the reports of the various engineers are insufficient, particularly as regards the quantity of material required, arising from an erroneous impression as to the form the rubble mound would assume as determined by the action of the sea.

I estimate the comparative cost of the rubble mound and the form of breakwater herein suggested, as follows:—

1. Breakwater, 7,800 feet long:	£.
Rubble mound - - - - -	475,800
Proposed plan - - - - -	300,950
2. Modification, No. 1, 6,100 feet long:	
Rubble mound - - - - -	372,100
Proposed plan - - - - -	235,358
3. Modification, No. 2, 4,400 feet long:	
Rubble mound - - - - -	268,400
Proposed plan - - - - -	169,634

4. 1,000 yards

4. 1,000 yards of main breakwater :	£.
Rubble mound - - - - -	183,000
Proposed plan - - - - -	115,750
5. River bulwark and lights - - -	18,000

* As regards the period of time required for carrying out the works, I am of opinion that,—

- 1st. The complete breakwater of 7,800 feet may be completed in six years.
 - 2d. Modification, No. 1, in five years.
 - 3d. Modification, No. 2, in three years.
- 1,000 lineal yards of breakwater, in two and a half years.

I have, &c.
(signed) *Jas. Abernethy.*

MEMORANDUM.

BREAKWATER, "SEDASEGAR BAY," MALABAR COAST.

3, Parliament Street, Westminster,
23 November 1860.

Mr. Abernethy has directed his attention to the subject of the ravages of the marine worms and insects, particularly the "Teredo navalis," and "Limnoria terebrans," for some years past in this country, and latterly in the Indian seas.

In this country thoroughly creosoted pine timber has been found to withstand effectually, for a number of years, the attack of the worm, in situations where unprepared timber has been destroyed within a period of 12 months; and if required, creosoted Baltic pine timber can be sent to the East Indies for a price covered by Mr. Abernethy's estimate.

As regards the hard woods of India, from information received from parties well acquainted with the subject, and observations made under Mr. Abernethy's directions at the harbour of Bombay, it is found that there are several species which are not affected by the ravages of the worm (if affected at all) for a long period of time. The gates of the old Parsee graving dock at Mazagon, Bombay, after a period of some 90 years, suffered so little from the attack of the worm, that their strength was not materially impaired; on this subject generally, Lieut. Taylor, I. N., can probably give valuable information.

Supposing it should be found that, after a certain period, the timber frame in Mr. Abernethy's design was materially affected, it still affords a good frame of staging for depositing a stone facework, the timber employed in its construction being actually less than would be required for carrying out a simple rubble mound; divested of the face planking, it affords an effective and cheap form of staging, supposing funds could be provided for at once carrying out a breakwater of solid masonry.

Lieutenant Taylor, I. N., to Mr. Baring.

The Queen's Hotel, Manchester,
3 December 1860.

I had already, before receipt of your note, been considering what wood had best be used for the staging of the breakwaters, and independently of the question of its destruction by the marine worm, had concluded that creosoted pine timber would be, after all, more easily and expeditiously prepared and trimmed to shape in England than could any of our woods in India, for we have as yet no gangs of sawyers or carpenters out there, nor could such be organized quickly.

The Canara teak and Zambra timber would, I believe, withstand the attack of the worm for a very long period, especially the former; but it would, I think, be cheaper to send out creosoted pine, and to bring the teak home in the same ships to this country when it should fetch a high price.

Another argument in favour of adopting pine is that the teak and zambra is not yet felled, and after that operation, must remain on the ground to be seasoned or dried before it can be floated down, as in the green state its specific gravity is far greater than that of water.

Thus, if orders were sent out now, we could not expect to have any supply at the site of the harbour until the beginning of 1862.

The comparative lightness of pine renders it also more easily handled, and it is so easily cut and worked up for framing or staging; but the hard Indian woods, under the hands of Indian carpenters, would certainly cost double or quadruple the money and time.

I am, therefore, much in favour of sending out creosoted Baltic pine; that for the framing being cut and partially fitted in England, whereby both time and expense may be saved.

Though not qualified to give an opinion on engineering points, I should like to remark that Mr. Abernethy's form of breakwater seems in every way calculated to meet the wants

of

* If creosoted timber, exported from this country, be used, it will add about 20 per cent. to all these estimates.

of Sedashegar Bay, and that the timber employed in its construction will be actually less than would be required for carrying out a simple rubble mound, I can well believe (after looking at Holyhead works), for in such a breadth of section as the latter requires, two lines of staging, many feet apart, are absolutely needed, that the rubble may be deposited in its proper place.

— No. 13. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Madras*, 28th February (No. 10) 1861.

* No. 12.

WITH reference to the concluding paragraph of my Despatch in this Department, No. 50, of 16th August last, I transmit herewith for your information a copy of a despatch * of this day's date, on the subject of the port of Sedashegar, which has been addressed to the Government of Bombay, in consequence of the proposed transfer to that Presidency of the district of North Canara.

(signed) C. Wood.

— No. 14. —

PUBLIC WORKS DESPATCH from *Bombay*, dated 12th January (No. 3) 1861.

† Letter to Home Government, No. 17 of 1858, dated 4th May.
From ditto to Government of Madras, No. 3, dated 6th October 1858.

WITH reference to the letters quoted in the margin † relating to the proposed formation of a harbour at Sedashegar, we have the honour to forward to you copy of a minute recorded by our Honourable President, under date the 31st ultimo, on his return from a visit to that port.

2. Our proceedings consequent on the Report of the Dharwar Commission referred to in the first paragraph of this minute, are herewith forwarded, as also copies of the correspondence which has taken place on the subject of the Kaiga and Barbul ghaut routes in connexion with the proposed road to connect the interior of Dharwar with the seaport of Sedashegar.

Bombay Castle, 12 January 1861.

We have, &c.
(signed) George Clerk.
Wm. Mansfield.
H. W. Reeves.
W. E. Frere.

Enclosure in No. 14.

MINUTE by the Honourable the Governor, dated 31st December 1860, concurred in by the Honourable Board.

THE harbour of Sedashegar in its present state is declared by Lieutenant Taylor to be "a safe refuge from any of the gales which occur on the coast"; by Colonel Cotton to be "a most accessible and perfectly safe shelter for vessels"; and by the Dharwar Commission to be "safe anchorage in all seasons and in all weathers." From personal inspection I am impressed with the same view. I therefore deprecate any attempts at improvement, for the present at any rate. Even waiving the financial impracticability of the schemes for vast breakwaters which have been proposed, they would create a harbour far larger than is called for in the present state of trade, and would be unnecessarily extensive for the protection of the moderate number of vessels which may, for many years at least, be expected to unload at Carwar Head. But an objection even more serious than this is, that even before their completion, it is very possible they would effect the ruin of the harbour by confining and heightening upon its bed the whole deposit of the river. This danger is one to which the general appearance of the water and its silt show the harbour to be naturally liable; and the liability is, perhaps, the greater now that the river has suddenly resumed the old channel of 50 years ago, opening directly into the centre of it.

All that is required to make the harbour itself at once available for trade is the road along the left bank of the river, and a small landing pier: 51,000 rupees have been entered for the latter in the Madras Budget for 1861-62; and it is very desirable that the 10,000 rupees for the former, which appears to have been overlooked, should be so also, and that both items should be sanctioned at once, so that the works may be immediately undertaken and finished before next monsoon. I therefore propose that the Supreme Government be addressed to that effect.

Although the above provision is all that is of vital necessity, there are grounds for supposing that, if experience proved it to be attainable without risk of silting up the harbour, a small

a small breakwater, to prevent annoyance to shipping from the north-west winds in March and April, and the westerly ones in August, September, and October; and ensure at other seasons perfectly still water for loading and unloading, would be desirable. The best design seems to be that for one 1,000 feet long, running N.N.E. from 400 feet distance from Carwar Head, so as to allow vessels to go out between it and the shore, and not to interfere with the current which sweeps out along the head in the S. W. monsoon. This work, if it appears desirable after the roads up the Ghauts have been made, and three or four years' more experience of the harbour have been acquired, may be executed by 2,000 or 3,000 convicts drawn from the gaols of Tanna, Rutnagherry, Dharwar, and Canara. The expense would probably be brought by this arrangement far within the $7\frac{1}{2}$ lacs at which it is estimated, and a more penal and deterring character would at the same time be given to our sentences of imprisonment with hard labour.

The next point is the communication between Mullapoor, or its vicinity, and the harbour, which I am strongly of opinion should be entirely by land, by a continuation of the Ghaut road, and not by the river, whether alone or combined with canal or railway. The river has, and probably always will have, a fair depth of water for country craft; but, like the other rivers on the coast, is liable to such frequent and extensive variations in both course and depth, as render any attempts to improve or interfere with it, of most doubtful efficacy. The direct course into the harbour, which it is at present disposed to take, is, at the same time, the most convenient, if it is to be the means of communication between Mullapoor and the shipping, and the most likely to cause the silting up and ruin of the harbour itself. On the other hand, if the channel again make itself a mouth to the northward, the harbour will be secure, but will become proportionably difficult of access by the river. The security of the harbour being obviously the more important object, all idea of communicating with it by so precarious a channel as the mouth of the river should, I think, be abandoned; and should any opportunity offer for effectually securing the return of the river to its northern bed, it should be promptly taken advantage of. The proposal to shut out the river from the harbour altogether by a stockade running from near the Sedashegar ferry as far as Coormagur Island, which is supported by Mr. Parkes and Captain Carpendale, would probably be too expensive to be entertained at present, but it is well worthy of being borne in mind, and should, I think, be carefully looked into, and reported on when the harbour, as it now exists, has come into use.

Communication between Mullapoor and the shipping by the river, the whole way, being thus shown to be objectionable, it is a question whether the embouchure should be avoided by a short canal or by a railway, crossing the isthmus, as recommended by Lieutenant Taylor and Mr. Parkes respectively. The canal has been shown by Mr. Parkes to be in many particulars objectionable; and it seems to me to be highly probable that it would in one season silt up and ruin Beitkul Cove, and possibly the harbour also. I would not recommend the use of a short railway, inasmuch as it would necessitate a second transshipment of goods. The only remaining course is that of having nothing to do with the river. This appears to me by far the most desirable, as obviating the detention of and risk to goods at Mullapoor, and the expense to traders of an agency there to transfer them from carts to boats. The road should therefore pass direct from the port of the Kyga Ghaut to Beitkul, a short branch of a couple of miles to Mullapoor being, however, made for such goods as their owners might still desire to ship there direct for Bombay by boat, without going to Beitkul at all. Until the harbour comes to be extensively used by ships, it is probable that there will be a good deal of such direct traffic with Bombay, whenever the Kyga Ghaut will admit of the cotton from the districts above it descending by this direct route to the sea.

The road between Mullapoor and the Arbyle Ghaut road at Iddagunjee by the Kyga Ghaut, as also that between Mullapoor and Beitkul, has been sanctioned at a total cost of 1,05,330 rupees, but only 10,000 rupees have been granted for the current year; and though the remaining 95,330 rupees are to be put in the Madras Budget of 1861-62, it is stated that not more than 30,000 rupees will be expended in that year, and that three years in all will be required to complete the work. It is most desirable that not less than 30,000 rupees should be sanctioned at once, as a supplement to the Madras Budget for the current year, and the work started vigorously, an extra engineer being appointed if necessary. I would therefore propose to address the Supreme Government to that effect. If this sanction be immediately accorded, and prompt measures taken to place at the disposal of the engineer officer a large number of convicts taken from the nearest gaols in the Madras and the Bombay Presidencies, the Ghaut may be passable for carts before the monsoon.

From Iddagunjee *via* Yellapoor, to Sungutteekep, a road has already been cleared, but a good deal more must be done, I understand, to make it capable of bearing much traffic. The earnest attention of the Madras Government should be called to this. From Sungutteekep to Hooblee, the line, 30 miles in length, passes through this Presidency, and though cleared is far from good: 500 rupees per mile would, I believe, put it in working order, excluding some bridges, which may be deferred for the present. I propose that this amount, or whatever Colonel Scott may consider necessary, should be entered in the Budget of 1861-62.

George Clerk.
W. R. Mansfield.
H. W. Reeves.
W. E. Frere.

— No. 15. —

EXTRACT PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Bombay*, 16th March (No. 11) 1861.

No. 3, dated 12th January 1861.
Proposed harbour at Sedashegar.

4. My despatch, No. 10, of 28th ultimo, will have informed you that your views on this subject coincide with my own.

— No. 16. —

PUBLIC WORKS LETTER from *Madras*, dated 19 April (No. 40) 1861.

1. WITH reference to the correspondence noted in the margin we forward further papers* containing our proceeding respecting the road to Sedashegar, *viâ* the Kaiga Ghat in North Canara.

From Secretary of State, 16th August 1860, No. 50.
To ditto 4th October „ „ 65.
From ditto 15th December „ „ 63.

* Proceedings of Government 1st November 1860, Nos. 19 & 20.
Ditto 18th January 1861, „ 262 & 263.
Ditto 22d „ „ 311 & 312.
Ditto 7th February „ „ 89 & 90.
Ditto 26th „ „ 329 to 331.
Ditto 16th March „ „ 274 & 275.
Ditto 19th „ „ 306 & 307.
Ditto 22d „ „ 369 & 370.
Ditto 27th „ „ 453 to 455.
Ditto 4th April „ 16, 17, 26, and 27.
Ditto 20th „ „ 305 & 306.

2. You were informed in paragraph 5 of our despatch of 16th May 1860, No. 28, that a sum of 10,000 rupees was sanctioned for opening a trace over the ghat. While giving this sanction, we called for an estimate for making a finished ghat.

3. In his letter dated 22d September 1860, No. 5087, the chief engineer stated that plans and estimates for the road had been submitted to Government in September 1857, and returned in November following, in consequence of the large number of projects then already admitted into the Budget for 1858-59. These plans and estimates were re-submitted by Colonel Horsley.

4. The proposal in 1857 was to construct a road from Iddagunji, *viâ* the Kaiga Ghat to Mallapur, from which place to Bétkal, the Kálinadi or Black River was said to be navigable; the proposal submitted in the letter quoted in the preceding paragraph, on the other hand, was to make a road the whole distance to Bétkal.

5. The district engineer had not been able to open the new trace in time to admit of fresh plans and estimates being prepared; but he was satisfied that the original estimates of 1857 would be sufficient. These amounted to 70,330 rupees, to which was added 35,000 rupees, the supposed cost of the 18 miles from Mallapur to Bétkal, which it was stated was then being surveyed; thus making a total of 1,05,330 rupees. Deducting from this amount the 10,000 rupees already granted for making the trace, there remained 95,330 rupees, which sum has been entered in the Budget for 1861-62,† under the sanction granted in our proceedings of 1st November 1860, No. 2250. The outlay proposed in the first year is 30,000 rupees.

6. In reply to calls made by us for the promised new plans and estimates for the road, the chief engineer reported on 31st January 1861, that they would not be ready before August next; but deeming any delay in the commencement of this highly important project to be very undesirable, we informed that officer in Proceedings of 7th February, No. 258, that we should be prepared to sanction such moderate charge for additional aid for expediting the completion of the documents as he might consider necessary. Accordingly, after some correspondence,‡ we sanctioned in Order of 4th April, No. 657, the employment of Lieutenant A. F. Fraser, of the Engineers, on the work; his salary and travelling allowance to be charged to the sanction for the ghat and road.

7. Among the papers now forwarded is a Minute, dated 31st December 1860, recorded by the Governor of *Bombay* on his return from a visit to the Port of Sedashegar

† Statement No. 1, Item No. 2.

‡ Proceedings of Government, 16th March 1861, No. 543.
Ditto 19th „ „ „ 559.

Sedashgar. The observations and orders recorded by us on the various points noticed in that Minute, will be found in our Proceedings of 26th February 1861, No. 376.

8. In March 1861, we received a telegram from the Government of India, intimating that Sir George Clerk was anxious to employ his convict labour at once in opening the road between Sedashgar and Hubli. We stated in reply, after communicating with the chief engineer on the subject, that the convicts might be employed on the portion of the road in this Presidency east of Iddan-gunji to Sangatti-kop on the frontier, observing that for the portion beyond Sangatti-kop in the Bombay territory, the Government of that Presidency were at liberty to make such arrangements, as they thought fit. We added that we would spare no effort to have the road completed throughout as early as possible, but that this could not be in 1860-61.

9. A still more recent letter* from the chief engineer informed us that the road is quite made and in good order as far as the Canara frontier, and that the whole of the available convict labour may therefore be employed within the Dharwar limits. We have communicated this information to the Government of Bombay.

* Proceedings of Government, 12th April 1861, Nos. 744 and 745, forwarded with para. 7 of Despatch, dated 13th April 1861, No. 54, Revenue Department.

Enclosures in No. 16.

ORDER OF GOVERNMENT, 7 February 1861, No. 258.

1. THE Secretary of State, in his despatch of the 15th December (No. 63), signified his desire that no time should be lost in completing the road from Sedashgar to the cotton country; and the budget for the coming year contains a sum of 30,000 rupees for expenditure upon it. Thus, the general design has been fully approved by the highest authority; the line also has been very carefully determined by Captain Walker, who is thoroughly acquainted with the country. The detailed plans and estimates, however, have not been completed, and are not to be expected for the next six months at the earliest. To wait for them, and for the sanction of the Government of India to them, would delay the commencement of this very important project for at least a year.

2. But under the circumstances above stated, the Government are of opinion that it is not necessary entirely to postpone all operations till the detailed estimate for the whole work shall have been sanctioned. There are, no doubt, parts of the road for which all the required information has been already collected, and on such parts work might be begun at once. The Governor in Council resolves, therefore, to call on the chief engineer to report, without delay, on what part of the line the district engineer is prepared to begin work, and how much of the 30,000 rupees, above referred to, he will be able to expend on the ordinary road work, omitting bridges, before the end of the official year 1861-62.

3. Adverting to the long time stated to be still required for the preparation of the plans and estimates, the Government resolve to intimate to the chief engineer that if additional aid would expedite the completion of these documents, they will be prepared to sanction such moderate charge as the chief engineer may consider necessary for this object.

(signed) *J. D. Bourdillon,*
Secretary to Government.

From Colonel *Walter Scott*, Secretary to Government of Bombay, to *J. D. Bourdillon*, Esq., Secretary to Government, Fort St. George, dated Bomby Castle, 2 February 1861, No. 222.

Sir,

1. I HAVE the honour, under the instructions of the Honorable the Governor in Council, to forward to you, in continuation of my letter, No. 10, dated 3d January 1861, the accompanying printed copy of a minute† recorded by his Excellency on his return from a visit to the Port of Sedashgar.

2. I am, at the same time, directed to request the earnest attention of the Government of Fort St. George to the points noticed in paragraphs 2 and 6 of this Minute.

3. With respect to the road from Sungutteekope to Hoobleé, 30 miles of which pass through this Presidency, I am to add that a sum of 20,000 rupees has been entered in the Bombay Public Works Budget for 1861-62 on account of it.

† For this Minute see page 30.

ORDER thereon, 26 February (No. 376), 1861.

1. ORDERED to be communicated to the chief engineer, together with the enclosed Minute, with reference to previous correspondence on the subject of the Sedashegar Harbour project.

2. Of the works mentioned in paragraph 2 of the Minute, viz., the road along the left bank of the river, and the landing pier, it is observed that provision for the latter to the amount of 44,000 rupees has been made in the coming year's budget, as no funds were available for it in the current official year. It is not clear what road is referred to as running along the left bank of the river, and for which it is recommended that 10,000 rupees should be allowed. Possibly the road along the foot of Carwar Head, for which a sum of 10,000 rupees is included in the estimate of 8,30,000 rupees for the general project is meant. This point will be ascertained from the Government of Bombay, and steps will then be taken for providing funds for the execution of the works.

3. The Governor in Council is not prepared to adopt the suggestion made in paragraphs 3 and 6 for the employment of convicts in the execution of the works therein referred to. This Government has long ago been led to the conviction that the employment of such agency is not economical, and they consider it preferable that the works in question should be carried out as provided for in the estimates.

4. Adverting to the remarks in paragraphs 4 to 6, it is observed, that the Kygah Ghat project, as finally approved by the Government, and entered in the budget for next year, provides for a road for the entire distance to Beitkul. But the plans and estimates for it have not yet been received.

5. In reference to paragraph 7, the chief engineer will be desired to report on the condition and requirements of the road therein mentioned.

No. 369.—READ the following Telegram from Lieutenant Colonel *H. Yule*, Secretary to the Government of India (D. P. W.), to *J. D. Bourdillon*, Esq., Secretary to Government, Madras, dated Calcutta, 18 March 1861.

SIR GEORGE CLERK is most anxious to employ his convict labour at once in opening the road from Hoobly to Sedashegar with reference to cotton export, and thinks he can make valuable progress before June. This will not prejudice the question of transfer. Does the Madras Government see objection to Sir George Clerk's desire to employ the convicts under Captain W. C. Anderson of Dharwar? if accepted, will Madras prescribe a particular portion to be done by Bombay convicts? Telegraph early reply as acceptance.

No. 370.—ORDER thereon, 22 March 1861, No. 590.

REFERRED to the chief engineer for early report.

(signed) *J. D. Bourdillon*,
Secretary to Government.

No. 453.—Read the following Letter from Lieutenant-Colonel *W. H. Horsley*, Chief Engineer, to *J. D. Bourdillon*, Esq., Secretary to Government, dated Chepauk, 25 March 1861, No. 11,325.

Sir,

1. IN reply to the Order of Government, No. 590, dated 22d March 1861, referring for early report a telegram from the Secretary to the Government of India, dated 18th March 1861, I have the honour to state that, considering how important it is at the present moment to make use of every available means to open the communications between the cotton-growing districts of the southern Mahratta country and the ports on the Western Coast, I am of opinion that his Excellency Sir George Clerk's proposition to employ convict labour at once in opening the road from Húbli to Sedashegar should be acceded to, and that the portion of the line from Iddagunji, *viâ* Yellapúr, to Sankatti-kop, and thence to Húbli, which is represented in the 7th paragraph of the Minute of the Honourable the Governor of Bombay, dated 31st December 1860, to have been cleared, but requiring a good deal more to be done to it to make it capable of bearing much traffic, should be made over to the Bombay convicts for execution under Captain W. C. Anderson of Dharwar.

2. With reference to the suggestion contained in paragraph 6 of the above Minute, viz., "that it is most desirable that not less than 30,000 rupees should be sanctioned at once, as a supplement to the Madras Budget for the current year, and the work started vigorously, an extra engineer being appointed if necessary." I beg to state that I have in a letter of this

this day's date, No. 11,307, recommended the appointment of Lieutenant Fraser of the Engineers for this duty, and in the event of Captain Walker requiring more funds between this and the 30th April next, for the Kaiga Ghát, I shall be prepared to provide such from the balance remaining from the allotment of the current year in other districts, on the authority granted me in the Proceedings of Government, No. 526, dated 15th instant.

No. 454.—ORDER thereon, 27 March 1861, No. 630.

ORDERED, that the following telegraph message be despatched to Colonel Yule, Secretary to Government, Calcutta :

“ Your telegram of 18th March, received. The road from Iddagunji, eastward, may be undertaken by the Bombay convicts. More by post.”

Ordered, also, that the following letter be despatched, a copy being sent to the Government of Bombay for their information.

(signed) *J. D. Bourdillon,*
Secretary to Government.

No. 455.—From *J. D. Bourdillon*, Esq., Secretary to the Government of Fort Saint George, to the Secretary to the Government of India, P. W. D., dated 27 March 1861, No. 631.

Sir,

1. IN reply to your telegram of the 18th instant, respecting Sir George Clerk's wish to be allowed to employ his convict labour on the road between Sedashegar and Húbli, you have been already informed by telegraph that the convicts may be employed on the road eastward from Iddagunji.

2. I am now directed to transmit, for the information of the Government of India, a letter from the Chief Engineer, reporting on the subject with reference to your telegram. The portion of road in this Presidency east of Iddagunji extends to Sangatti-kop, and it is to this portion that my telegram refers; the road beyond Sangatti-kop is in the Bombay territory, where of course the Government of that Presidency will make such arrangements as they think fit.

3. This Government will spare no effort to have the road completed throughout as early as possible. But this cannot be this year.

4. A copy of this letter, and of that from the Chief Engineer, will be forwarded to the Government of Bombay, for their information.

— No. 17. —

EXTRACT PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Madras*, dated 8 August (No. 36) 1861.

9. I OBSERVE with regret, that no hope is entertained of your being able to finish this road during the present year. Its completion is, however, an object of so much importance to the cotton trade of this country, that I trust every exertion will be made to effect it at the earliest possible period. It is very desirable, too, that I should be enabled to intimate to the Manchester Cotton Supply Association, as long beforehand as possible, when that period will be, so that whenever the road shall have become fit for the conveyance of cotton from Dharwar to Sedashegar, corresponding arrangements may have been made for its shipment at that port for England.

No. 40, Road from Hooblee to Sedashegar, *via* the Kaiga Ghat.

— No. 18. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Madras*, 16 April (No. 16) 1861.

REFERRING to the 4th and 5th paras. of your letter, No. 28, of 16th May last, I transmit herewith a copy of a letter from the Secretary to the Manchester Cotton Company, from which you will perceive how important it is that the landing and shipping pier at Sedashegar therein referred to, should be

completed at an early period. I trust, therefore, that your arrangements for its construction during the current year have not been interrupted in consequence of the proposed severance from the Madras Presidency of the district of North Canara. Whatever may be decided in this latter respect, it is most desirable that the progress of the pier should not be suspended. Your officers should be instructed to carry out the work as originally intended. The expense incurred, can, if necessary, be debited hereafter to the Government of Bombay. That Government will be furnished with copies of this Despatch and its enclosure.

(signed) C. Wood.

Enclosure in No. 18.

Manchester Cotton Company (Limited),
1, Newall's Buildings, Manchester,
3 April 1861.

To the Right Honourable Sir Charles Wood, Bart., M.P.

Sir,

I AM desired to inform you that the Directors of the Manchester Cotton Company (Limited) have learned, with great satisfaction from Dr. Forbes, that the Indian Government has expressed its intention to construct, for commercial purposes, a pier at the harbour of Sedashegar, instead of requiring the same to be undertaken by private enterprise.

As this work will prove of essential utility to the operations of this company, they will be glad if you will favour them by stating how soon it is probable the pier will be constructed, or whether there is a prospect of its being ready for shipment of the cotton crop of 1862. The directors will despatch cotton presses, machinery, and an iron press-house to the port of Sedashegar in the course of a few weeks, and they wish, therefore, to urge the desirability of the construction of the pier proceeding simultaneously with the preparations they are now making for opening the cotton trade at that port.

I have, &c.

(signed) G. R. Haywood, Secretary.

— No. 19. —

PUBLIC WORKS LETTER from MADRAS, dated 14 June (No. 55,) 1861.

1. WE have the honour to acknowledge the receipt of your Despatch of 16th April in this department, No. 16, transmitting a copy of a letter from the secretary to the Manchester Cotton Company, and suggesting the utility of an early completion of the landing and shipping pier at Sedashegar.

2. You will learn from our proceedings of the 31st May 1861, No. 1017, that we have sanctioned the immediate commencement and vigorous prosecution of the pier, for which an assignment of 28,000 rupees has been made in this year's budget, and we have ordered the plan and corrected estimate to be submitted as soon as possible.

3. We take this opportunity of requesting your attention to the first part of our President's Minute (which forms one of the enclosures of this Despatch) regarding the breakwater and other harbour improvements designed at Beikál, and now under your consideration.

Enclosures in No. 19.

No. 268.—Read the following Letter from Lieutenant Colonel W. H. Horsley, Chief Engineer, to J. D. Sim, Esq., Secretary to Government, dated Chepauk, 11 May 1861, No. 402.

Sir,

1. I HAVE the honour to forward, for the information of Government, a letter, as per margin, from the district engineer North Canara, and to report that, in forwarding to that officer their Proceedings, No. 802, dated 20th April 1861, I gave my approval, after consulting with Sir Arthur Cotton, to the site selected by him for a pier, and directed its vigorous prosecution, partly of stone and partly of wood.

2. As

2. As no plan whatever was to be found of the pier as originally intended to be executed, I have left it with the district engineer to frame one as soon as he can do so, and meantime to go on with the stone portion of the work which will abut on the shore. I hope shortly to be able to send round to Sedashegar the large pile driving machine now in store here, the arrival of which will enable him to work on the outer portion.

3. As the object is evidently to make the roads and ghát traces complete as soon as possible, and to connect the Kaiga Ghát road and the "face of Carwar Head," I have further authorised Captain Walker to expend a portion of the sum of 10,000 rupees, sanctioned in the foregoing Proceedings, for opening up the traces.

4. I trust my proceedings in this matter will meet with the approval of Government. It was my particular desire that not one day of the current year should be lost in prosecuting a work which has been deemed of first-rate importance, and it is on that account that I, to a certain extent, went beyond the power assigned me, being confident that the measure would receive the full approval of Government.

5. A correct plan and estimate of the pier will be forwarded in due course.

6. With reference to Captain Walker's suggestion to construct a second landing pier at the entrance of the inner or boat harbour, to be formed of screw piles, and estimated at 14,500 rupees, I have informed that officer that, in my opinion, this work may remain in abeyance at present until it is seen whether that proposed to be erected is sufficient or otherwise for the wants of the port.

Paragraph II.

No. 269.—ORDER thereon, 31 May 1861, No. 1017.

1. IN this letter the chief engineer reports his arrangements for the construction of the proposed pier in Beitkál Bay.

2. The work was sanctioned by Government on the 25th April 1860, and a sum of 28,000 rupees has been entered for it in the budget of the current year. Its importance has been recognised by the Supreme Government and by the Government of Bombay as well as by this Government, and in a Despatch received by the last mail, the Secretary of State expresses his hope that it has been prosecuted without interruption.

3. From the letters of the district and chief engineers, it appears that up to last month no steps had been taken to decide upon the position of the pier with relation to the depth of water in the bay, the probable wants of the shipping, or the safety of ships lying alongside of it, should bad weather occur; in fact, the whole subject appears to have been left in abeyance altogether; and now, after 13 months have passed, the chief engineer reports that he has approved of the site selected by the district engineer, and directed him to proceed vigorously with the pier. There is no plan of the work to be executed; the engineer is now called upon to prepare one, and Government are informed that a correct plan and estimate will be forwarded "in due course." The Government differ altogether from the chief engineer on this point; the proper course was to prepare the plan before the estimates were framed, and he, or the deputy chief engineer of the circle under his orders, should have been in close communication with the district engineer during the last twelve months; the plan should have been thoroughly considered; the site, extent, material and mode of construction determined; so that the work might have been duly commenced without hesitation or delay as soon as funds were available. Instead of this being the case, the Government are now in the same position as in April 1860.

4. This negligence reflects very seriously on the method and system pursued in the disposal of the office work of the department of public works, and if similar instances again occur, the Government will be compelled to make material alterations in the arrangements of the central office.

5. With these remarks the Governor in Council sanctions the arrangements made by Colonel Horsley for the construction of the pier, as the only course available under the circumstances.

6. The plan and estimate will be submitted with the least practicable delay.

(signed) J. D. Sim,
Secretary to Government.

SEDASHEGAR HARBOUR.

I HAVE looked over all the papers connected with the proposal to establish a harbour at Sedashegar, and the whole scheme seems to me to have been most wildly conceived; the outlay upon the proposed breakwaters, and other harbour works, being far in excess of that which the advantages of the site would justify.

From the plan it would appear that the Bay of Sedashegar is about 5,000 yards across; that it is sheltered from winds to the south and west by Carwar Head, which projects about two miles; that the bottom of the bay is formed of a sandy spit, thrown up by the action of the prevailing winds at the outlet of a river, the channel of which has thus been forced to the northwards, though now it would seem that the pressure of the water has cut through the sand spit, and made an outlet for itself near the bottom of the bay.

There appears to be a snug harbour for small vessels at the bottom of Carwar Head, where there is a basin about 800 yards long and 250 wide; but there is nothing upon the plan to show the depth of water, and the probability is that this is but a boat harbour, as indeed it is termed. The original project submitted included a breakwater projecting from Carwar Head, and another between some islands to the north, both of which, it was inferred, would be required, in order to make the harbour safe at all seasons; but, in forwarding these schemes for improvement, it does not appear to have occurred to the projector that, under no circumstances, except indeed stress of weather or actual necessity, would a master of a merchant vessel feel justified in running down upon a dead sea shore upon the chance of hitting the opening of a small harbour of this kind, when, even under the best of circumstances, that is, when both breakwaters had been completed, there would be but scanty room to bring up in a secure berth.

I consider, therefore, that the Government of Bombay acted wisely in limiting the work to be executed to that which might be required for facilitating the shipment of cotton, &c., brought down from the country beyond the hills.

Now, however, I have to allude to the conduct of this Government with reference to the work to be carried out, viz., the construction of a jetty and of a road communicating therewith. It appears that, in April 1860, that is, 13 months since, the Government sanctioned the outlay of 51,000 rupees for a landing and shipping pier, which sum was directed to be inserted in the estimates for 1861-62; but it would appear from the letters of the district engineer, giving an account of the correspondence which had taken place between himself and the chief engineer on this subject, that no steps had been taken to decide upon the position of the pier with relation to the depth of water in the bay, the probable wants of the shipping, its safety, or rather, the safety of the ships lying alongside of it, should bad weather come on; in fact, the whole subject appears to have been left in abeyance altogether. Now, at the eleventh hour, the chief engineer, in forwarding a letter from the district engineer, states that he has approved of the site selected by that officer, and directed him to proceed vigorously with the work; but it appears that there is no plan of the work to be executed, and the engineer is now called upon to make one; and the Government is told, in para. 5, that a correct plan and estimate of the pier will be forwarded in due course. I differ altogether from Colonel Horsley: in my opinion, "due course" would have been to prepare the plan before the estimates were framed; he ought to have been in close communication with the district engineer during the last twelve months; the plans should have been thoroughly digested and discussed; the site, extent, material, mode of construction determined; so that the works might have been commenced without any delay, as soon as the money was voted. We are now, in May 1861, just in the same position as we were in April 1860; and I must say that this sort of negligence does not tell well for the method and arrangement of the office work of the Department of Public Works. Colonel Horsley should be informed that if similar instances again occur, the Government will be compelled to make material alterations in the arrangements of the office. In the meantime, the arrangements notified in Colonel Horsley's letter must be allowed to proceed, as the only course available under the circumstances.

(signed) W. D.

— No. 20. —

EXTRACT PUBLIC WORKS DESPATCH, from the Secretary of State to the Government of *Madras*, dated 2 August (No. 35) 1861.

Para 2. WITH reference to the proper subject of the letter under reply, I need add little to the well-merited rebuke passed by you on the chief engineer for the negligence and want of method observable in his official arrangements. I apprehend, however, that the non-existence of any plan, and, consequently, of any trustworthy estimate for the pier, 13 months after its construction had been sanctioned, is by no means a solitary instance of inattention to the standing orders of the Department. It is contrary to all rule that a project should be entered in the budget without previous submission of plans and estimates; but,

in

in this case, not only had no plan been prepared, but even the question of sites had not been finally settled, at a time when, according to instructions issued more than a year before, everything ought to have been in readiness for the commencement of the work.

3. With regard to your President's observations on the breakwater, which, it has been suggested, may hereafter be required at Sedashegar, my letter of 16th August last informed you that, in my opinion, the work ought to be deferred until the capabilities of the harbour shall have been tested by experience, and shall have attracted to the place some considerable amount of trade.

— No. 21. —

PUBLIC WORKS DESPATCH, from *Bombay*, dated 27 Nov. (No. 35) 1861.

WE do ourselves the honour of forwarding for your information the accompanying printed copies of a letter from the Acting Superintending Engineer, Southern Circle, No. 2519, dated 15th November 1861, and its accompaniments, reporting what has been accomplished, the present state and the prospect of completion of the portion of the road (within the limits of this Presidency) from the Dharwar cotton districts to Sedashegar.

2. We are of opinion that this report is satisfactory, so far as the Dharwar districts are concerned.

Bombay Castle,
27 November 1861.

We have &c.
(signed) *G. Clerk.*
H. W. Reeves.
W. E. Frere.

Enclosures in No. 21.

(No. 2519 of 1861.)

Public Works Department.
Office of Superintending Engineer, S. C.,
Belgaum, 15 November 1861.

To the Acting Chief Engineer and Secretary to Government, Public Works Department,
Bombay.

Sir,

I HAVE the honour herewith to forward you a Report by Captain Playfair on the state of progress of the road from Annigherry to Sunguteescope, called for in a demi-official letter from you to his address.

2. Captain Playfair's account of what has been done is very clear.

3. I have just passed over the line from Annigherry to Hooblee; it is mostly over black soil. The earthworks are in progress, and the road will probably be gravelled and ready by the end of the next monsoon.

4. From Hooblee to Sunguteescope, 28 miles over a hard undulating country, with rice fields and soft soil in the bottoms; five miles at the Hooblee end are almost completed, and about six miles at the Sunguteescope end are nearly finished.

5. The intermediate portion, 16 or 17 miles in length, has hardly been taken in hand.

6. Captain Playfair anticipates that the whole line from Hooblee to the frontier will be open before next monsoon. He points out, however, with great truth, that until the Kyga Ghaut in the Canara districts is open, the line in our own territory will be of little material use.

7. The Kyga Ghaut is the pinch of the whole question. A first-class road from Hooblee to Sunguteescope is only wanted as a means of access to the port of Sedashegar. That port cannot be approached by this route till the Kyga Ghaut is ready, and the completion of the latter therefore must regulate the utility of the whole undertaking.

8. I believe the Madras officers are actively at work; at least I hope so, for all that we are doing will be nearly useless unless seconded by their efforts. In any case, however, considering the difficulties of their part, I do not doubt we shall be ready long before they are.

9. Captain Playfair's chief difficulty is, and has been, a full supply of labour. He has not nearly as many workpeople as I should like to see, but he has done his best.

10. The people appear so well to do in Dharwar that they are not disposed to take service on the roads, and he chiefly depends on the aid of wandering tribes of Wudders and Lumanees. He is, however, increasing his force, though I fear at the expense of the Tenai Ghaut works, which latter, however small their relative importance may be, are yet so far important that it is a point of faith with us toward the Goa Government to carry them on to a speedy completion, or at least to finish our portion as soon as the Goa Government do theirs. I shall impress this upon Captain Playfair.

11. In conclusion, I would remark that Captain Playfair appears during the last monsoon's work to have made the best use of the means at his disposal; and also that in spite of all difficulties in respect to labour, there is no fear that we shall not be ready long before the completion of the Kyga Ghaut will give effect to our efforts.

I have, &c.

(signed) *M. K. Kennedy*, Lieut.-Col.,
Acting Superintending Engineer, Southern Circle.

REPORT showing what has been done on the Bombay portion of the Hooblee and Sedashegar Road.

Executive Engineer's Office, D. D.,
Camp Chelmutur, 12 November 1861.

1. MAJOR HEBBERT some years ago made a rough road from Hooblee to the North Canara frontier at Sunguteecope to join with the Madras road, *viâ* the Arbyle Ghat, to Coompta. This line was not then thought of much importance. The grand route for traffic was by a good road, *viâ* Turrus and Sircy, and the Arbyle line was only an alternative one. Much expense was therefore not incurred there on the road making; such as it was, cost but 114 rupees a mile.

2. Still it was found to offer so many advantages, that Major Hebbert, when preparing various projects for roads through this part of the country, proposed that a first-class gravelled road, drained and bridged throughout, should be made in place of this new clearance. Public works in India were at that time attracting great attention at home, and the Court of Directors at once accorded sanction to that portion of Major Hebbert's estimate that had reached them, *viz.*, for the earthworks only, and at the same time gave it to be understood that the drains and bridges would be also sanctioned as soon as the documents connected with them arrived.

3. The before-mentioned sanction for the earthworks was received in May 1857, and work at once vigorously commenced, only to be almost immediately afterwards stopped with public works generally, on account of the mutinies.

4. Time passed on, financial difficulties were great, and no money was forthcoming for the work which, on the 1st May 1861, was in the same state that it had been left in 1857; but at this time the question of opening up the port of Sedashegar, as nearer to and in every way better suited as a point of embarkation for cotton of the Dharwar and neighbouring districts, had gained such ground as to determine Government to put this road in hand again at once.

5. Some preliminary difficulties with regard to the Court of Directors having only sanctioned the earthworks, and not positively the drains and bridges, had to be removed; but on the 2d May last I received a telegram, authorising their immediate commencement.

6. As in 1857 the road for the first five miles out of Hooblee had been commenced, and considerable work done thereon, which was deteriorating and in its unbridged and undrained state useless for traffic, I thought it most desirable to complete it at once; but this involved the construction of two bridges of some size, and the date, 2d May, was somewhat late to begin the excavation, for the foundations in a sandy bed, already saturated with water from recent showers, and liable to further floods at any moment. However, the road was of such importance as to be worth the risk, and I took the responsibility of success or failure on myself.

7. The foundations carried down to a considerable depth were got in with some difficulty, and the masonry work to the superstructure then proceeded with comparative ease, for although the rain was often incessant, and our work at times completely submerged, little harm was done, and the bridges were completed, with the exception of some work to the approaches, by the date I had fixed upon (1st September). They have since been entirely finished. Each bridge has two spans of 30 feet, or 120 feet of waterway in all, the construction, masonry piers and abutments, with a very substantial trussed timber roadway.

8. At the same time the incomplete portion of the old earth embankments—no considerable quantity of work—was finished, and the whole of the drains, 25 in number, built, so that on the opening of the season this portion of nearly five miles out of Hooblee was available for traffic. At its termination it strikes the old track, so that it can be brought into use at once.

9. While

9. While this part of the road was in progress at Hooblee, an entirely fresh portion was commenced within six miles of the Canara frontier at Davecope. Here prisoners from the Dharwar Gaol were employed. The main reason for placing them at Davecope was the utter want of water at other places in the neighbourhood; the previous season had been a remarkably dry one, and water was scarce in all this part of the country.

10. After various difficulties, the principal of which was the *émeute* of the Chinese convicts, put down with a strong hand, the prisoners were comfortably huddled and commenced work. The monsoon was the heaviest that had been known for years; from the end of June the rain was literally incessant in the neighbourhood of Davecope, but wet or dry the prisoners worked on, and the result is a beautiful piece of road for nearly three miles in length, running from their huts towards Sungutecope in one direction, and towards Davecope on the other.

11. When work was commenced, the amount available for the year for the whole road from Hooblee to Sungutecope was but 20,000 rupees, to which might be added a portion of the amount allowed (25,000,) for the Annigherry and Hooblee road, a continuation of the same line (*see* Budget 1861-62, items 31 and 36, Part II. sect. B.); the work was therefore started on this basis of 45,000, in all from Annigherry to Sungutecope.

12. It was afterwards, however, found, that so anxious was the Government to complete the work as soon as possible, that considerable additional sums would be granted. Then came the question of labour. At Hooblee all the spare labour was employed under the European subordinate in charge of that portion, and the one in charge of Davecope had to look elsewhere. With difficulty he procured a scanty supply. At that time so heavy was the rain that a new difficulty supervened; they refused to put pick in ground in such weather. However, as breaks occurred, they did set to work, and by the 1st November had a considerable quantity of work to show.

13. Having thus described the operations of the two separate divisions of the Hooblee and Sungutecope road during and immediately after the rains, it now remains to speak of the Annigherry and Hooblee portion for the same period.

14. The main line of supply for cotton to Hooblee is *viâ* Annigherry, and it runs entirely through the black cotton soil; the old native track, of course, may be said to be unpassable after heavy rain, but it can be traversed after a little sunshine, and in the dry season becomes pretty smooth and easy. The mere fact of the black soil, therefore, was not the great impediment to communication with Hooblee, but three (3) nullahs or rivers respectively, at Boodrapoor, Nalowdee, and Seergoobie, intersected the road, and after rain, even before the regular monsoon, seriously impeded traffic. Of all these, by far the most formidable was the Benehal; its bed is of the most treacherous mud. There are traditions of its having once on a time swallowed up an elephant, and the stories of the difficulties experienced in passing it are rife in the collectorate. Often, when a break in the monsoon would otherwise have afforded a chance for carts pushing through to Hooblee, this river stopped the way.

15. So much was the difficulty caused by this nullah experienced by the people, that they subscribed largely for throwing bridges across it in two places. The one on the Dharwar road does not require further mention here, but the one so built by me on the Annigherry road, being on the direct line of the new road, has saved the necessity for the one provided for in the project. Shortly after (also by private subscription) I had built the bridge at Nalowdee, so that for the new road only that at Boodrapoor has to be constructed. For it during the rains all the timbers were cut and prepared; they are now being carted to the site, and thus the last remaining bridge between Hooblee and Annigherry will be completed by the end of the year, or early in January.

16. With regard to the road-work itself, the only feasible way of making a really good road in the black plains is to raise it considerably above the face of the country. Gravel is obtained with difficulty, and at great expense, and therefore the body of such embankment must be of the black soil itself; such a nucleus is now being thrown up to an average of two feet. It was, with the other work, commenced during the rains, and I have great hopes of completing the rough bank between Hooblee and Seergoobie before the end of the present year, to complete the whole bank between Annigherry and Hooblee before the next rains, and also to build many of the drains required thereon. It being useless to metal, or rather gravel this bank, before it has received a partial consolidation from the rains, it is proposed to allow it to weather till, say, the middle of next rains, then cover it to about 1½ feet in depth by the gravel, which will then have been collected for the purpose; this gravelling will be thus partially consolidated by the latter portion of the monsoon, and a good road opened for traffic on this portion by the cold weather next year; but I am anticipating. To return to what has been done, which I now collect in the form of a *resumé*:—

17. *Resumé* of work performed from the commencement on the 2d May 1861 to the 1st of November 1861, the greater portion being executed during heavy rain:

From Seergoobie (*i. e.* between Annigherry and Hooblee).

To Hooblee—

4½* miles of black earth } *To be added to this is one mile made in 1857
embankment thrown up. } which gives 5½ miles in all.

Two drains completed } This work just commenced.
Two drains nearly so }

One drain commenced.

Boodrapoor Bridge.—All the timbers prepared, piles cut, planks sawn, woodwork fitted, &c., and a part carried to the site, to be finished this year, or early in January 1862.

Note.—Bridges at Seergoobie and Nalowdee previously built by subscription.

From Hooblee towards Sunguteescope.—Nearly five miles of road open for traffic on this since 2d May 1861.

Two bridges, each 60 feet waterway, have been built, and 25 masonry drains with considerable earthworks.

Continuing on.—Nearly two miles of embankment has been thrown up, and the drains on it are in progress; thus seven miles of the road immediately at Hooblee will be opened this year.

From Kulgutghee towards Sunguteescope.—Nearly six miles of road has been made, of which more than two miles have been finished and drained complete, and can be travelled over.

Besides this, a great deal has been done in the way of burning charcoal, collecting stone for bridges, &c. The total expenditure from the 2d May

to the 1st November 1861 has been	-	-	-	-	-	-	-	Rs. 27,066
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Adding to which the previous expenditure in 1857	-	-	-	-	-	-	-	11,908
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The Total Amount spent up to the above date is	-	-	-	-	-	-	-	Rs. 38,974
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18. Having thus shown what has been done during what is not generally considered the working season, I will now proceed to consider the prospects of the new road from Hooblee to Sunguteescope and Hooblee to Annigherry as regards completion, and being available for the traffic to Sedashegar.

19. Although I shall show that there is every probability that the new line of road from Hooblee to Sunguteescope will be open throughout before the next rains, still I beg that it may be held in mind that such an opening is neither of vital or even material consequence to the success of Sedashegar as a port, or to our communications therewith. We have already a road, bad it is true, in parts, but still a serviceable road (as has been proved over and over again) through our districts. On from Sunguteescope a very fair road leads through the Madras districts to Idagoontee, the point where the Kyga Ghaut line turns off; and as soon as that ghaut is ready, Sedashegar is opened up; till then it is sealed to us.

20. Between Hooblee and Sunguteescope the work to be done is as follows:—

Fifteen miles of road to be completely made.

Six miles of road, already partially completed, to be finished.

Drains, of which a good many are in hand, to be completed to the above 21 miles and four bridges to be built.

21. The great difficulty to overcome is the scarcity of labour. This, never procurable in any quantity in these districts, is now scarcer than ever. I myself am employing a good deal on other works almost as important as this road. The demand for cart drivers to take the cotton to the coast has taken away numbers, and the impetus given to agriculture, owing to the great and rising prosperity of the country, has increased the usual demand from that source. The railways, though distant, have probably also absorbed their quota. The causes are various, but the fact is patent that labour in any quantity is not obtainable. Not that I have a mere handful employed: on the 1st November, excluding the prisoners, I mustered coolies (men, women, and children) - - - - - 1,376

With the prisoners I had in all	-	-	-	-	-	-	-	1,631
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And of other labourers, bricklayers, cartmen, &c.	-	-	-	-	-	-	-	167
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Giving a Grand Total of	-	-	-	-	-	-	-	1,798
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but I want many more.

22. On recently arriving at Hooblee on my tour, I found the coolies leaving and about to leave my works, owing to greater inducements being held out to them elsewhere. I have been obliged, sorely against my will, to raise the rate for an able-bodied man to 3 annas, instead of that of 2½ annas previously ruling. This may attract more people to the work. I have messengers out in every direction. Mr. Gordon, the assistant collector, is on the look out for me, and I have taken every step I can think of to fill up my weak muster rolls. As a last resource, I have directed that if 200 men, for whom some months ago a messenger was sent to the Goa districts for work on the Tenai Ghaut, are procurable, and if they can be induced to come so far away from their homes as Daveescope, they are at once to be sent there. I shall not relax in my efforts, and what can be done to get more labour shall be done.

23. For skilled labour we are better off; and for the completion of three of the bridges, which are not of great magnitude, I feel pretty confident; but exclusive of these, that at Daveescope, very lofty, having one centre arch of 50 feet span, with two side ones of 30 feet each, will give trouble. The rains have prevented its commencement till lately; the foundations are now being excavated, and the work will be prosecuted as rapidly as possible. The nullah can be crossed all the year, except in very heavy rains, when the floods are out. The old road has

has good approaches down to it, so its non-completion will not much affect the traffic. I have thought, also, in case the arches cannot be completed in time, of making a temporary road, with the timbers of the centres which are now being prepared.

24. I had written thus far on the 8th instant, when the delay, caused by a reference to my office for some information with regard to the expenditure, gave me an opportunity of again visiting the works along the whole line of road, and on this day, the 12th, having just returned therefrom, I am able to speak more cheerfully of the prospects of the final completion of the Hooblee and Sunguteecope portion before the rains of the present year.

25. On arriving at Daveecope, I found that my messenger to the Tenai Ghaut had been successful. The party from Goa, which had just arrived there, were at once sent on, and I had the pleasure of seeing on the break towards Sunguteecope, 205 very little fellows just setting to work. These men, with the assistance of a few lamenys (gipsies) already at work there, will enable me to complete the road from Daveecope to the frontier, if all goes well, by the end of January next.

26. Between the Birtee nullah and Daveecope, there is already a good deal of work done, and of that piece also being completed in time there is little fear. It includes two bridges, respectively over the Bhim and Toll Sarroos, for which a good deal of material has been collected, and which will now be pushed on vigorously.

27. I also found the foundations of the large bridge at the Birtee nullah dug down nearly to the full depth, the hard stratum on which the work is to be founded, showing itself here and there.

28. I have before shown that seven miles in all, at the Hooblee end, will be ready in December this year (five miles being already open for traffic). This brings us to Chulmuttec, where a small bridge is required. On from this to Oogungerrie is pegged out, and of its completion there is no doubt.

29. From this description, with a glance at the rough sketch, it will be seen that there is a piece of the road lying between Oogungerrie and the Birtee nullah at present untouched, though lined out and only requiring labour. Now I have recently understood that some wudders and others are procurable in the jaghires of Sirhuttee and Lukmeshwur. For these, Mr. Gordon has been kind enough to write, explaining the good wages to be obtained on my works; and I have also asked Major Anderson, the assistant political agent, to publish a similar notification. I have great hopes of a supply from this source, which will put the whole road on a fair footing of good progress. I have also, seeing the successful result already obtained there, sent a messenger again to the Goa territories, to try and obtain 150 additional hands. I may mention that my first messenger states that he found the railway agents there offering 4 annas a day, and it was only the comparative proximity of my districts to their homes, that decided the party I have to come to me at less wages in preference.

30. I conclude this report by stating that, in the belief that I am carrying out the wishes of the Government in doing so, I am pushing on the road work without feeling restricted to the expenditure of a certain portion of the estimate only. I am already very liberally supplied with money, but in case more may be required this year, I trust it may be granted. Should there be any difficulty in procuring it from the reserve fund or other sources, I believe I can show a saving on other items of my Budget grant, which may be well applied to this work. I will, in case more money is likely to be needed, make a timely application.

31. The charge of the road work at the end of this month will be distributed as follows :—

Captain Baker, in charge of the couvicts at Daveecope (throwing up some heavy embankments in rice land, and finishing off the piece of road in the neighbourhood of the Chuppers), and also of the piece of road between Daveecope and the frontier at Sunguteecope.

Mr Mulligan, assistant supervisor, between Daveecope and the Birtee nullah, including the toll and Bhim Surroo bridges.

Mr. Stubbs, assistant supervisor, the Birtee nullah bridge, and the road on to Oogungerrie.

Mr. Fawcett, overseer, the small bridge at Chulmuttec, the road from Oogungerrie to Hooblee, and from Hooblee to Annigherry; the latter portion being simple embanking in an easy country, enables him to superintend a larger portion than the others. He is also assisted by a surveyor; and the Boodrapoor bridge is being built by the carpenter mistry of my office, under my own direct supervision.

32. Captain Baker is, of course, only employed as a temporary measure, hanging on until the transfer question is decided. He can leave without inconvenience at a moment's notice, but I should feel more at ease and confident with regard to the early completion of the work, were I assured that the others, including Mr. Stubbs (at present under orders to join Captain Baker if the transfer takes place), could remain, without being changed for others till June next, at any rate.

(signed) *J. W. Playfair*, Captain,
Executive Engineer, Dharwar Districts.

MEMORANDUM to accompany Rough Sketch of *Guduck and Yellapoor Road*.

HOOBLEE, a town in the Dharwar zillah of the Bombay Presidency, is a place of considerable trade, and a great portion of the cotton grown in the neighbouring country concentrates there, and proceeds for shipment to the port of Coompta. In fact, Hooblee and Bunkapoor may be considered as the two points of concentration of the Dharwar cotton, ere its departure for the coast.

* I ought to have added "early in the season," for in the hot weather it is much used.

At present, the cotton, after leaving Hooblee, has two routes to Coompta; the one by Turrus and Sirey, which is that generally used, the other an alternative line by Yellapoor and the Arbyle Ghaut. This latter is not sought* by traffic, except when the more direct road by Turrus is closed (as it has been sometimes for repairs to the Devamoney Ghaut) and also because there are impediments in the way, unbridged rivers, muddy places, &c.

To communicate with Sedashegar, however, this latter line by Yellapoor is on the direct route, as far as a village named Adurgoonchee, or Iddugoontee, in the trigonometrical map. At this point, the new line via Kyga Ghaut branches off. On this date, 1st November 1861, the state of the road from Hooblee to Iddugoontee is as follows:—

For the first five miles out of Hooblee, an excellent road just completed and opened for traffic, bridged and drained throughout. From this point to the Madras frontier at Sunguteecope the new road is in progress, but, except at Daveecope, where about two miles are finished and can be travelled over, is not as yet available; it is, however, hoped that the whole distance between Hooblee and the Madras frontier at Sunguteecope may be ready by the commencement of next rains, say June 1862.

But the completion of this portion of 28 miles is not imperatively required for communication with Sedashegar, because, some years ago, a rough road was made between Hooblee and Sunguteecope, over which the whole cotton traffic of the country has at times passed, and immediately after the rains, when in its worst state even. This road is not good, and, until repaired each year, affords an unpleasant prospect to a traveller; it is serviceable, however, and will answer its purpose until the completion of the new road dismisses it to oblivion, where the new line adopts that of the old road, and may obstruct carts by its incomplete banks and drains. Temporary passages have been ordered to be made at the same time that the repairs are executed, viz., commencing from the 1st November.

On reaching the Madras frontier at Sunguteecope, a good road will be found to the point where the Kyga Ghaut road branches off; and, until that point is reached, there is, at this present moment, as shown, a road, good in part, bad in others, but still a serviceable road, towards Sedashegar from Hooblee.

The Kyga Ghaut line is not at present open for carts, and until it is, Sedashegar is sealed for all purposes.

The work on that piece is, however, I believe, being pushed on vigorously by the Madras authorities. So much for the road from Hooblee to Sedashegar.

Cotton comes to Hooblee by many tracks, but the principal and more important line is that from Guduck. Guduck itself is a town of importance, and considerable trade is carried on there. A first class road is in progress to join it with Hooblee, with regard to which a few remarks are necessary.

Road making on the black plains is no easy matter, and unless embanked above the natural surface, any road in the rains would be little if any better than the ancient tracks (which, though at times almost impassable to man and beast when wet, in the dry season are hard and easy to travel over). These embankments delay the completion of the road, as they ought to be allowed to consolidate before being metalled. However, the necessary embankment between Hooblee and Annigherry is in progress, and it is hoped may be metalled and opened for traffic by the end of next rains. The distance is 20 miles. The pressing want on this line was a passage over three nullahs (small rivers) respectively at Seergoopie, Nalowdee, and Budrapoor (see sketch): the two former have been substantially bridged, and the last will be before the end of the year.

The road on from Annigherry to Guduck has not as yet been commenced; it has been recommended for sanction, and will, in all probability, be taken in hand from the 1st May next. Indeed, it would not be advisable to detach any portion of the sparse labour obtainable in this part of the country from the more pressing work of the Hooblee and Sunguteecope road.

I will conclude this memorandum with a short notice of Bunkapoor and its wants.

As Hooblee is the point of concentration for the cotton to the north of these districts, so is Bunkapoor for that of the south. Its port is at present Coompta, but hereafter a communication with Sedashegar will be necessary, the line for which will be by Moondagode and Yellapoor (see trigonometrical map). I understand that there is at present a roughly-made road from Moondagode to Yellapoor, and I am myself making one from Bunkapoor to the Madras frontier towards Moondagode, which I hope to have practicable for carts this year; but a piece of about six miles intervenes, from where I leave off on the Bombay frontier to Moondagode in North Canara. I have prepared estimates for completing it in case that part of North Canara is handed over to us, but, if not, its early construction should be urged on the Madras Government.

(signed) J. W. Playfair, Captain,
Executive Engineer, Dharwar Districts.

Dharwar, 31 October 1861.

— No. 22. —

EXTRACT PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Bombay*, 8 February (No. 2) 1862.

2. THE progress made on the Dharwar portion of the road to Sedashegar is satisfactory, and does credit to Captain Playfair, the executive engineer of the district. It seems certain, that by the end of the current year at the latest, there will be a good road from Anigeree, 20 miles east of Hooblee, to the western frontier of Dharwar.

3. It is important, however, that you should be aware that according to the latest advices on the subject received from Madras, the Canara portion of the road over the Kygah Pass to Sedashegar is expected to be finished as early as April next.

— No. 23. —

EXTRACT REVENUE DESPATCH from *Madras*, dated 4 December (No. 119) 1861.

2. You will observe from our President's Minute, written after a personal inspection of the harbour at Sedashegar, that even if the proposed pier were extended to a distance of 400 or 500 yards from the shore, there would still be insufficient water at its head for ships to lie alongside, while they would be exposed to a heavy sea at particular times. A mere boat pier would entail the heavy expense of transferring cargo, first from the ships into boats, and then from the boats to the pier.

3. While these objections presented themselves to the immediate construction of a pier, the face of Carwar Head admitted of a road and wharf being simultaneously constructed along it, as shown in our President's Minute. Shipping could safely lie alongside of such a wharf, and receive and discharge their cargo with ease. Under these circumstances, we have instructed the district engineer to let the pier project lie over for the present, and to proceed at once with the road and wharf on Carwar Head. We do not doubt that you will approve of this change in our plans.

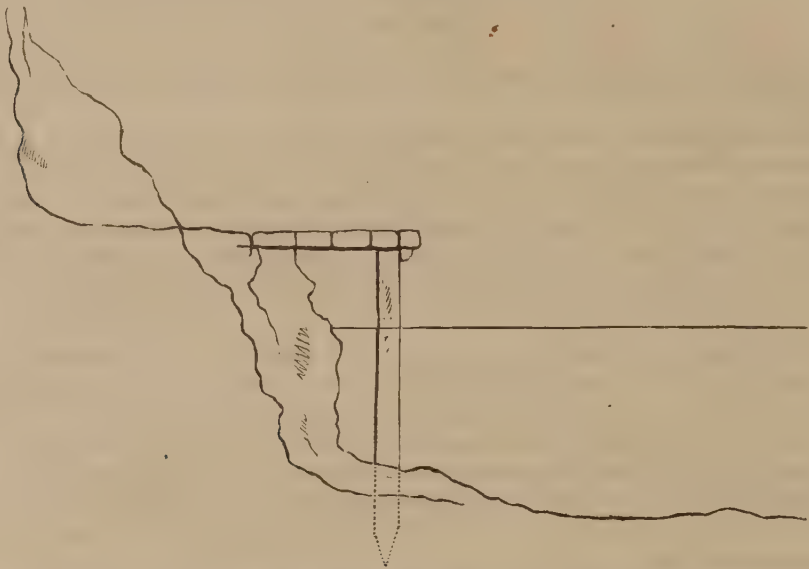
4. The Kyga Ghát road is being vigorously proceeded with; the district engineer has ample funds and labour, and we have placed two more experienced officers at his disposal, and he expects by April next to have a good 12-feet road open all the way to Sedashegar; so far, therefore, as this Presidency is concerned the Dharwar cotton crop of this season may be expected from Sedashegar, but Captain Walker urges that the continuation of this road within the Bombay limits is of vital importance.

Enclosure in No. 23.

Read, the following Minute by the Honourable the President:—

WHILE at Sedashegar I carefully examined the plans and soundings of the harbour, and consulted with Captain Fraser, who, having been at anchor in the bay during the whole of the south-west monsoon, was quite competent to give an opinion as to the amount of shelter afforded by Carwar Head, and the security to be obtained in different parts of the harbour against the heavy swell rolled in by the monsoon. I find, from Captain Fraser's soundings, that there has been an accumulation of silt to the extent of from three or four feet since 1855, the date of Captain Taylor's survey. This deposit, as might be expected, has taken place principally along the flat sandy beach forming the bottom of the bay; it is probably caused by the sand and mud brought down by the river and the various small streams which enter the bay at several points, and though it might be possible to check the rapidity of this accumulation by forcing the river into the sea at a more northerly point, yet the evil cannot be got rid of except at a cost far in excess of that which the amount of shipping likely to frequent the harbour would justify.

Looking to this accumulation, and to the fact as shown by Captain Fraser, that even with a pier of 400 or 500 feet in length, there would be at low water but 12 or 13 feet water, I was induced to turn my attention to the shore of Carwar Head itself; here there appears to be but little tendency to deposit; then a depth of water, sufficient within a few feet off the shore to float the largest vessels ever likely to frequent the harbour, and a wharf would be very easily made, which might be gradually extended as the trade increased at a small comparative cost. It is true that the sides of the head are rather steep, that some expense will have to be incurred by the parties who may wish to build stores, &c., on or near the wharf itself; that there will be an additional mile of road to be made; but on the other hand the work will be quicker and easier done. There will be greater depth of water for vessels; these will be under the shelter of the land, and be more secure than they would be if moored alongside a jetty or pier, and it is not necessary that the stores should be in the immediate vicinity of the wharf. Indeed, I am by no means certain that the merchants would not act more wisely were they to store the cotton when cleaned and pressed in the dry country above the ghâts, and bring it down from thence only for shipment: this, however, it is for them to consider. Looking to the state of the harbour, I should recommend that the idea of a pier from the east side of the bay should be given up; that Captain Walker should be directed to continue the road round the head (or across) the small bay or cove, and to carry it along the inside of Carwar Head at a height not exceeding six feet above high-water mark; that on reaching a spot about 200 feet from the angle, where the shore turns to the westward, he should commence constructing a wharf as here shown:—



by throwing the earth and rock excavated to make the road into the sea, driving the piles, which will make the face of the wharf at such a distance from the toe of the slope as may be necessary to secure depth of water for vessels lying alongside. It may be that piles will be unnecessary, that the blocks of stones coming from the excavation may be heavy enough to be built into a dry stone wall, capable of resisting the action of the sea; if this is the case, piles would be saved, and the expense considerably diminished. This, however, must be left to the judgment of Captain Walker.

Four or five hundred feet of wharfage might be made at once, and this might be easily completed in a few months, as any number of hands might be placed upon it. In this way all the legitimate demands of the merchants engaged in the trade will be complied with.

There is one question with relation to the sale of lands at Sedashegar which ought to be settled without delay. Applications have been made by merchants and others for blocks of land varying in size from five to ten acres. The agent of the Cotton Supply Association also proposes to establish presses, stores, &c., on the spot. Means should be afforded with as little delay as possible to persons proposing to establish themselves at Sedashegar for procuring land, and for this purpose the land belonging to Government should be marked off in allotments having a certain frontage to the roads now in process of formation, and a depth of (say) double the frontage, and in blocks not exceeding two acres. These should be sold by public auction, so that no imputation of favouritism or partiality could be cast upon Government or its agents. I have said that the land belonging to Government should be so marked off; I mean by this the uncultivated land. With reference to the paddy field, &c., which are in the hands of the natives, these must be treated as private property, of course. Such an amount as is actually required for public purposes, that is roads and wharves, may be taken under the Act enabling the Government to take private property for such purposes, but it must be clearly understood that such land is not to be sold or transferred to private individuals or firms. These, if they require such land, must purchase it from the occupants or proprietors. It is, in my opinion, of great importance that the arrangements for the sale of land should be completed as speedily as possible.

W. T. Denison.

—No. 24.—

EXTRACT PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Madras*, No. 5, dated 24 March 1862.

Para 6. WITH regard to the roads leading to the cotton districts of the Southern Mahratta country from the port of Sedashegar, you anticipated that one line at least would be sufficiently advanced by the end of 1861, to permit of cotton being brought down from the interior to the north bank of the Kalee Nuddee, or Sedashegar river. I shall be glad to hear that your anticipations in this respect were realized, previous to the transfer of the Department to Bombay.

—No. 25.—

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Madras*, No. 4, dated 7 March 1862.

HEREWITH are transmitted, for such remarks as your Government may have to offer thereon, copies of a Letter from the Chairman of the Manchester Cotton Company, and of its enclosures, complaining of delay which has occurred in the construction of the new road from Dharwar to Sedashegar, and of the new shipping pier in the harbour of the latter place.

Enclosure in No. 25.

MANCHESTER COTTON COMPANY, LIMITED.

To the Right Honourable Sir *Charles Wood*, Bart., M.P., Her Majesty's Secretary of State for India.

1, Newall's Buildings, Manchester,
18 February 1862.

Sir,

I AM instructed by the executive committee of this Company again to trespass upon your attention, in regard to the delay which has occurred in making the new road from Sedashegar to Dharwar, and the new shipping pier in the harbour of the latter place. The Company continue to receive communications from their commissioner, Mr. Haywood, setting forth the unsatisfactory state of the progress made in regard to these works.

I beg to hand you the annexed extracts from Mr. Haywood's communications; viz. :—

EXTRACT, No. 1, from Letter dated 18 October 1861, showing the imperfect state of the road, and expressing the opinion of Dr. Forbes, "that if the line of road were in the hands of the Bombay Government, it would be completed in time for the next cotton season."

EXTRACT, No. 2, from Letter dated 31 October 1861, reports, that Captain Playfair promises to have "a fair passable road ready for cotton traffic, in February 1862."

EXTRACT, No. 3, contains the report of Captain Playfair, executive engineer of the Dharwar districts, dated 31 October 1861, in which he states, that "he has prepared estimates for completing the road, in case that part of North Canara is handed over to the Bombay Government," stating, that if it is not so handed over, "its early construction should be urged on the Madras Government."

EXTRACT, No. 4, from Letter dated 30 November 1861, refers to Mr. Haywood's interview with Sir William Denison on the 12th and 14th October 1861, at which time "not a stone had been moved for the construction of the promised pier, nor had the situation for it been fixed upon; and only 60 coolies were at work upon 25 to 30 miles of the new road, from the port of Sedashegar to the top of Kyga Ghat."

Mr. Haywood received a note from Sir William Denison, stating, that it was probable that the road from Sedashegar would be opened by the 1st of March 1862.

Mr. Haywood also refers to the extraordinary statements made by Sir William Denison, that "the extensive districts of cotton soil are not congenial for the growth of the fine species of American cotton, and that the experiments which have been made in the cultivation of American cotton have hitherto been unsuccessful."

It need scarcely be added that all our own experience proves, that India can grow cotton from American seed, suitable for consumption in large quantities in Great Britain, and that its cultivation in Dharwar has been highly successful, and there is no reason to doubt, that with care and skill, American cotton could be cultivated in other districts in India with equal success.

EXTRACT, No. 5, Letter dated 20 December 1861, contains Mr. Haywood's description of the new line of road now being constructed by the Bombay Government, from the Madras frontier, in the direction of Hooblee; this road is 24 feet wide, and from 2,000 to 3,000 labourers are employed upon it.

Mr. Haywood also describes the continuation of this road within the Madras frontier, which is in a very bad state.

EXTRACT, No. 6, from Letter dated 9th January 1862, gives the report of Mr. Haywood on the state of the road now in course of construction from Yellapoor to Beikul Bay.

It will be observed that the road is in a very incomplete state, and there is no probability of its being opened by March next for the cotton traffic of the district.

Mr. Haywood observes, "the loss of time through the non-settlement of the transfer six months ago, and the absence of energy and the necessary means for the opening of the road, may therefore be said to have cost the trade one season."

EXTRACT, No. 7. Mr. Haywood remarks upon the further anticipated delay of six weeks in the transfer of North Canara, owing to a technical difficulty raised by the Madras Government as to the proclamation of such transfer, and Sir George Clerk's proposed visit to Sedashegar may consequently be delayed two months on this account.

In this letter Mr. Haywood also states, that about 900 coolies are now employed upon the works at Beikul, including the road and harbour, but a very large number are engaged upon a work which can be of no immediate use, namely, in the construction of a road 66 feet wide round the base of Carwar Head, terminating in a wharf which is to be 200 feet broad. This wharf will be more than one mile distant from the site of land purchased by the Manchester Cotton Company at Allaguddy, and nearly two miles from the site chosen by Messrs. Nicol and others.

Mr. Haywood states that there is no sign of any progress in regard to the pier being made by the Madras Government, and mentions the extraordinary fact, that 500 men had been discharged from the works on the 1st January.

Mr. Haywood observes upon the capricious mode of carrying on these works by the Madras Government, in first employing a large number of men upon unnecessary work, and then discharging them in a moment of after-thought by hundreds.

Mr. Haywood also remarks, that a season has been lost by the conduct of the Madras Government, and which the Bombay Government might have saved to the interests of the public and the cotton trade.

In conclusion, I beg to refer to my former letters upon this subject, and to state that all the information since derived from personal inspection by Mr. Haywood has justified all that has been previously stated, and has confirmed the Company in their previous conclusions, viz. :—

1st. That it is imperative, according to arrangements, that the district of North Canara should be transferred to the Bombay Presidency without further delay.

2d. That all the promises made to this Company that the shipping pier at Sedashegar, and the new road from that port to Dharwar, should be completed by February or March, have been and will be unfulfilled.

3d. That this Company having sent out large quantities of machinery, with three high-class representatives as engineer, manager and cashier, together with a staff of mechanical engineers, in order to be ready to commence vigorous operations forthwith, will suffer very great pecuniary loss by the culpable delay which has arisen in the carrying out of the promised works.

4th. That the cotton trade of India will suffer most grievously in consequence of not being able to receive the benefit arising from the stimulus which would have been afforded (had these works been completed), by its participating in the advanced prices of cotton at the present crisis.

5th. That this delay may truly be described as a calamity to the cotton trade of this country at this juncture.

6th. That whatever may have been the result of the experiments with American cotton seed in other parts of India, the proofs of its decided success in Dharwar, and of its capability of being generally substituted for American-grown cotton, are beyond all doubt.

I have, &c.
(signed) Jno. Platt, Chairman.

EXTRACTS from Mr. *Haywood's* Letters.

(Enclosed in Enclosure No. 25.)

MANCHESTER COTTON COMPANY (LIMITED).

LETTER, dated 18 October 1861.

THE roads from the harbour to the Dharwar districts, you will see by the map, are still in a very incomplete state.

Dr. Forbes says that if the line of road were in the hands of the Bombay Government, he could answer for the completion of the road in time for the next cotton season. I learn from the cotton traders of Coompta that they are all prepared to transfer their business to that port as soon as the road and harbour are available.

LETTER, dated 31 October 1861.

I HAVE several times seen Captain Playfair, now in charge of the new road from the Madras frontier to the Dharwar cotton districts, and at my request he has furnished a sketch of the road and a memorandum as to its condition up to November 1, copies of which I have made and now forward (No. 2).^{*} Captain Playfair assures me we shall have a fair passable road ready in time for cotton traffic about February next. He has now a thousand labourers and prisoners at work upon it. On my next visit to Sadashegar, in three or four weeks time, I hope to see Captain Walker, the Madras engineer, who will probably afford me similar information as to the road from the Dharwar frontier to the port of Sadashegar. * * * *

° Not sent.

“Moondagode, in North Canara: I have prepared estimates for completing it, in case that part of North Canara is handed over to us; but if not, its early construction should be urged on the Madras Government.

(signed) *W. Playfair*, Captain,
Executive Engineer, D.D.”

Dharwar, 31 October 1861.

LETTER, dated 30 November 1861.

WITH reference to Sir Charles Wood's reply to the request of the directors, to send out an urgent order for the completion of the transfer, in accordance with the suggestion of my letter, I wish to draw the attention of the directors to two facts. First, that my interviews with Sir William Denison took place on the 12th and 14th October, and Sir Charles Wood's reply to the directors is dated a fortnight later; there was, therefore, no time for Sir William Denison to have written home in that interval. Secondly, at the time of my interview with Sir W. Denison, not a stone had been moved for the construction of the promised pier, nor had the situation for it been fixed upon, nor were there more than 60 coolies at work upon the road from the port to the top of the Khyga Ghat, some 25 or 30 miles. I cannot, therefore, understand how the Madras Government should have written that the immediate and vigorous prosecution of the pier and road, &c. had been sanctioned. If sanctioned, it had not been acted upon. A great expense was incurred in steamers, &c., for the meeting of the two governors; and Mr. Frere was uselessly invited to Sadashegar, to be told that the transfer was not to be effected by the Madras Government. A letter would have saved the cost of this money, which would have built the pier.

At this place I received a note from Sir William Denison, in which he states that it is probable we may have the road opened to Sadashegar by the 1st of March next. He also enclosed a copy of his Minute on cotton cultivation, which ere this will have been published in England. In this Minute it is stated that “the extensive districts of cotton soil,” which he describes as an adhesive black clay, “are not congenial to the growth of the fine species of American cotton;” and again, that “the experiments which have been made in the cultivation of the American cotton on this soil have hitherto been unsuccessful.” I replied to Sir W. Denison that these statements were not in conformity with the facts which are now every day coming under observation. That here, in the whole of the Dharwar districts, the contrary was proved, and confirmed by the fact that American Dharwar fetches a higher price than any other Indian cotton in the Liverpool market. But more than this, I have since, by way of further proof, been into the Madras territory, and have there seen, so far as I have gone, finer and healthier-looking plants than I have seen in Dharwar; for the people of the country in Bellary, and in the Nizam's territory, have for some years grown cotton from American seed, and value it more highly than their native species. On one occasion, in Bellary, when asking a native why he did not go to the Kupput Hills close by, and get gold as Mr. Le Souf is now doing there on behalf of a company, the ryot pointed to his American (or, as they call it “Bombay”) cotton field, and said, “That is our gold; it fills our houses with money.” How it is that these facts should be unknown to Sir W. Denison I cannot explain, except that he has been so recently at the head of his Government. At least some of his council or officers might have given him better information, and prevented the circulation of errors so injurious to the interests of India. But there is doubtless ample room for improving the agriculture of the American species, which in some districts produces two pounds of clean cotton to one of

native. Instead, therefore, of trying to improve the native, rather let attention be given to the improvement of the American, and there is ample black soil in India adapted to the growth of all that England or the Continent can possibly consume. Everywhere the people are exchanging the growth of native for American cotton, and this process will rapidly go on as the Government gives roads and bridges to the districts, and Europeans are more numerous among them as traders and fair dealers. Of these there is room enough for a large number, and next to the means of easy communication and tolerable ports, they are the great want of India.

We next travelled through Segaum to Turrus, and thence to Deveycupe, where we struck upon the new line of road being constructed by the Bombay Government from the Madras frontier, in the direction of Hooblee. At Deveycupe I met with Captain Baker, who has a portion, nine miles in extent, adjoining the frontier, under his charge. He states that his portion of the road will be ready for traffic by the middle of February next, and the other sections of the road towards Hooblee, which are superintended by energetic officers, will, no doubt be ready by the same time. There are probably between 2,000 and 3,000 labourers at work upon this line. The road will be 24 feet wide; it will be covered one foot deep with moorum, a sort of gravel, but will require a monsoon to consolidate it. The traffic of 100 or 200 carts per day would, undoubtedly, soon cut it up, and render it difficult to traverse. The gravel, after being laid on the soil which is dug out of the sides of the road, and spread over the intended line of traffic, is beaten down by hand labour, whereas heavy iron or stone rollers would do this work ten times better, more speedily and cheaper; the soil for forming the road is all carried in small baskets on coolies' heads. The labour is paid for by daily wages instead of by contract; but I am told that if the latter system was adopted, the people would work more cheerfully, and earn far better wages, and the work would be accomplished in far less time. I state this on good authority, from those who have had the work of road-making to do in this country; there is an evident want of some better and more expeditious method of removing the soil than that of carrying it on coolies' heads.

On reaching the Madras frontier, I came upon the ordinary country road, which is cut through the forest, and consists of the common soil of the jungle formed by the vegetable mould, which one week's traffic would grind into a bed of dust, as difficult for carts to pass over as the mud of the plains in the rainy season; from the frontier to this place is about 18 or 20 miles. There is no traffic upon the road now, and hitherto very little at any season; the road is therefore, to all appearance, a tolerable one; what is beyond this to the Kyga Ghat I shall inform you in my next letter. I am told that it is intended to make the Kyga Ghat road only 12 feet wide, by scarping the side of the ghat six feet, and throwing over the soil to the width of six feet more. Such a road can hardly be expected to stand the traffic of heavy carts. I state this fact only as I hear it.

LETTER, dated 20 December 1861.

FROM Yellapoor a road is much wanted direct to Bunkapoor. We have had to travel about 14 miles out of a direct line from Bunkapoor to this place, and all the cotton coming from Bunkapoor to Sedashegar must traverse this road. A road is already made to Mooda-goor from Yellapoor; this requires to be continued, thus saving 14 miles of land carriage; but the Moondagoor road wants bridges. At present the rivers or nullahs are in some places impassable, except by unloading the carts, and having them and their contents carried over by coolies, who are employed for the purpose.

MANCHESTER COTTON COMPANY (LIMITED).

THE following letter from Mr. Haywood is printed for the private use of the Executive Committee only:—

(signed) *David Chadwick,*
Interim Secretary.

1, Newall's Buildings,
Manchester, 8 February 1862.

My dear Sir,

"Bombay, 9 January 1862.

In my last letter I informed you of the state of the road now in course of construction from Hooblee to the Dharwar frontier, and thence to Yellapoor.

Leaving Yellapoor I came upon about a mile and a half of really excellent road, 24 feet wide, metalled with moorum. Between Yellapoor and the Chinnapoor pagoda (a distance of six or seven miles), the remainder of the road is very indifferent, averaging 18 feet in width, requiring repairs in many places, as well as the completion of three bridges now in progress.

From the Chinnapoor pagoda to Barra, a distance of about 17 miles, a good portion of the road is opened to 12 feet; in some parts it is only 9 feet wide, and there are some portions very difficult to pass. Over several small streams or nullahs on this road temporary bridges have been made of rough timber or rafters, upon which branches of trees, leaves, &c., are spread, on which is laid a layer of earth. These bridges will be of very little use after the first few carts are passed over them.

From

From Barra to to top of the Khyga Ghat the distance is some two to three miles, thence to the foot of the ghat about eight or nine miles; probably a third to one-half of this distance is roughly opened out to a width of 12 feet, the remainder is a mere bridle path, about four feet wide. The average gradient of the ghat is 1 in 20. There were in all about 700 to 800 coolies at work upon the entire ghat. The engineer had only one assistant, apparently a sickly half-caste. The coolies do not work on Sundays, but by way of rest they are obliged to travel distances of 10, 15 or 20 miles to obtain their supplies of food for the ensuing week.

They benefit nothing by the privilege, and it is but reasonable to suppose that they are not very fit for a day's work on Monday. Fever is prevalent among them, and no wonder. It is obvious that the Government would be the gainer if a stock of rice and other provisions were provided for the coolies, and sold to them at current rates; if the comfort of the coolies were thus consulted, it is very probable that the difficulty now met with by the Madras officer in procuring more labour would be greatly removed. It has not been intended by the Madras Government to open the road to more than 12 feet wide this year, and from all I could learn there was little hope of this being accomplished.

From the foot of the Ghat to Mullapoor, on the banks of the Kala Nuddy (about 12 miles), the road is traced or marked out, but there were no coolies employed upon it, the intention being to work from the top of the ghat downwards.

Mullapoor is about 22 miles from Beikul; 25 by the ordinary road. The course of the road was being traced through the jungle from Mullapoor towards Beikul when I came down.

At Beikul the line of road has been commenced along the hill sides, and an average of a yard or two in width has been scarped out for some distance; but the interruptions from the numerous projecting rocks and boulders requiring removal suggest the doubt whether the more direct line across the perfectly level rice fields would not have been more easy and cheaper of construction. This has suggested itself to many persons to whom I spoke on the subject at Sedashegar.

The Madras officers state that the road will not be open lower than Mullapoor before the monsoon, and it is very doubtful if it will be open then. I cannot understand on what grounds it was ever stated by the Madras Government that the road would be open by March next, unless the promise was made with a view to obviate the transfer. If the Madras Government based this statement upon any calculations of their engineers, the present condition of the road, together with the fact that the road will not be open, proves their incompetency for the work, and justifies the transfer.

LETTER, dated 9 January 1862.

A 12-Feet trace down the ghat will give room only for one cart safely to pass. It was proposed to allow carts only to go down the ghat at certain hours in the morning; the return carts to travel up at corresponding hours at night. This 12-foot trace consists of six or eight feet cut into the sides of the ghat, the remaining four or six feet being formed of earth, and stone thrown over on the hill side, and levelled. No metalling to be done until the road is widened hereafter to 24-feet. The 12-foot trace would therefore be very soon cut up, and rendered almost impassable under a heavy cotton traffic. To widen the present 12-foot trace to 24 feet, must necessarily throw the whole road into confusion, as 12 feet more must be cut out of the hill sides, and the cost of levelling the present 12 feet will be almost thrown away. If there were no prospect of a large traffic, a 12-foot trace might be sufficient to begin with; even then it should be metalled. But there is scarcely a doubt that nearly all the Coompta traffic will speedily come down this ghat so soon as the native and other merchants know that the port is available, and there is a good road to it. The loss of time through the non-settlement of the transfer six months ago, and the absence of energy and the necessary means for opening the road, may therefore be said to have cost the trade one season, and may tend to damp the zeal and energy with which the supporters of the company lent their aid to our undertaking.

I believe the Bombay Government is prepared to do all in its power to open the road with the least possible delay, and I will shortly inform you what steps will be taken.

You will, no doubt, be surprised and disappointed to learn that even now a further delay of six weeks must take place, owing to a technical difficulty raised by the Madras Government as to the proclamation of the transfer of North Canara to Bombay; and this difficulty interposed apparently as a forlorn hope at the eleventh hour. It appears that instead of the Madras Government waiving all further objections, it is now insisted that an Act of Parliament, with the Queen's sanction, must be obtained before the proclamation can be published in due form. Six or eight weeks must, therefore, elapse before Sir George Clerk can carry out his intention of visiting Sedashegar, which he would have done at once had not this stumbling-block been interposed, in which case no doubt his Excellency would have given an immediate impulse to the progress of all the necessary works. When at Sedashegar with Dr. Forbes we called on the collector, and were then told that Sir William Denison "had sent in a protest against the transfer." I trust that the present delay has not been created with a view to learn the probability of this protest bearing fruit. It certainly bears an aspect in that direction. I have, however, heard, since my arrival here, that Mr. Grey, Secretary to the Government at Calcutta, has most triumphantly refuted every argument of that protest. About 900 coolies have been employed upon the works at

Beitkul (a portion of them engaged upon the road), but a very large number have been vigorously employed upon a work which can be of no possible use for some time to come: viz. the construction of a road 66 feet wide round the base of Carwar Head, terminating in a wharf, which is to be 200 feet broad. This wharf will be more than one mile distant from our site of land at Allaguddy, and nearly two miles distant from the site chosen by Messrs. Nicol & Co. Neither Messrs. Nicol & Co. nor the Manchester Cotton Company would employ carts to carry cotton so great a distance, when, by erecting a wooden pier, they could put their cotton on board ship readily in boats. There is no sign, nor could I hear, of any pier to be erected by the Madras Government. Before leaving Sedashegar, on the 1st inst., 500 men had been discharged from this work. Probably some information, which was not allowed to transpire, as to the transfer ordered by Sir Charles Wood, had occasioned this discharge of coolies. I only heard of the transfer on reaching Bombay on the 4th instant. If the discharge of these 500 men did not result from such intelligence, it would appear a capricious mode of carrying on public works: first, to employ a larger number of men upon an unnecessary work than were employed upon the ghat, where labour was wanted and most difficult to obtain; and then, in a moment of after-thought, to discharge the men by hundreds.

Looking at the whole subject of the promises made by the Madras Government and its officers as to the construction of the new road, and the inadequate fulfilment of those promises, the conclusion seems forced upon you that a show of work only has been made pending the struggle to retain the district. Meanwhile, a season has been lost which the Bombay Government might have saved to the interests of the public as well as of the cotton trade.

— No. 26. —

PUBLIC WORKS DESPATCH from *Madras*, dated 10 June (No. 14) 1862.

No. 4.
 Proceedings 28th February 1862, Nos. 464, 465.
 „ 2d May „ „ 43, 44.
 „ 9th June „ No. 1303.

14 May 1862.

1. WITH reference to your Despatch of 7th March last, transmitting copies of a letter and enclosures from the chairman of the Manchester Cotton Company, complaining of delay in the construction of the road from Dharwar to Sedashegar, and of the shipping pier at the harbour, we beg your perusal of the accompanying Minute from our President, and of the explanatory letter from Lieutenant Colonel Walker, to whom a reference was made on the points noticed in para. 7 of that Minute.

2. From the first you will observe that our President disapproved originally of the proposed expensive breakwater, and the district engineer was therefore desired to frame plans and estimates for a pier; but, after a personal inspection of the locality, and conversation with Captain Fraser, Indian Navy, who had been living in the Bay during the whole of the monsoon, Sir William Denison was convinced that on professional grounds alone, the construction of a pier from the east side of the cove, in water already shallow, and constantly getting shallower, would be inexpedient, and that it would be preferable to adopt the readier and cheaper plan of constructing a wharf along the deep water line of Carwar Head. You will observe that this change was perfectly well known to Mr. Haywood, it having been discussed in his presence, while his coadjutor, Dr. Forbes, stated at the time that he had never understood that a pier from the east shore had been contemplated.

3. Consequently, if Mr. Haywood has purchased land and commenced buildings on the east side of the harbour with the idea that a pier was to be built there, he has no one to blame but himself; for even had he not been aware that such a work was never intended, a simple question put to the district engineer, Colonel Walker, would have put him in possession of all the facts necessary to guide him in his decision.

No. 161.

4. With respect to the probability of the work being more quickly carried out by the Bombay officials than by our own officers, Lieutenant Colonel Walker's Report of the 17th December 1861, herewith forwarded, will enable you to judge, by the progress which has been made on the roads leading to the port in the respective Presidencies.

5. Those points in Mr. Haywood's letter which seem to call for explanation from the district engineer are replied to in Colonel Walker's letter of the

14th

14th May last. As respects the removal of 500 labourers from Beitkal, which is the chief ground of complaint, Colonel Walker states, in para. 3 :—

(1.) That owing to these men not having been trained to blasting operations, they could not be economically employed there; and

(2.) That they were more wanted on the Kaiga Ghat.

6. To attract them thither, higher wages were offered, an arrangement which would have been attended with a successful result, had not the transfer to Bombay meanwhile taken place, whereby hopes, afterwards fulfilled, were held out of unlimited employment at Beitkal itself, much to the prejudice of the works on the ghat.

7. We would only add that the Kaiga Ghat was opened to an average width of 15 feet throughout by the end of March, by the exertions of Captain Searle, a Madras officer, who had been specially appointed to the duty.

Enclosures in No. 26.

Read the following :—

No. 43.—MINUTE by the Honourable the President.

1. THE demand of the chairman of the Manchester Cotton Company (Limited), made in rather an authoritative tone, is, that the North Canara District be handed over to the Bombay Presidency without delay. The complaints are :—

(1.) That all the promises made to the Company that the shipping pier at Sedashegar, and the new road from thence to Dharwar, should be completed by February and March, have been and will be unfulfilled;

(2.) That the Company will suffer very great pecuniary loss in consequence of, what Mr. Platt chooses to call, culpable delay in carrying out the proposed works;

(3.) That the cotton trade of India will suffer most grievously;

(4.) That the delay may be described as a calamity to the cotton trade of England.

2. The assertion is, that the Dharwar cotton may be generally substituted for that of American growth. With regard to the demand, as it has been complied with, it is unnecessary for me to say anything; but, with regard to the complaint, I have a right to observe that I am altogether unaware that any promise was made to the Company to the effect stated.

3. When the subject of the works required for the improvement of Sedashegar harbour was first referred to me, I pointed out the absurdity of a plan which embraced the construction of upwards of a mile of breakwater, costing upward of a million, for the defence of a harbour which could only be the outlet of a trifling tract of country, and which was well sheltered during nine months of the year, and I proposed to limit the works to those which were necessary to facilitate the trade of the port, or rather the trade which it was supposed, somewhat gratuitously, would flow to that port. Instructions were therefore given to the engineer to prepare plans and estimates for a pier, which was accordingly done, and the means of constructing this were despatched from Madras.

4. The experience, however, of the south-west monsoon proved to the engineer on the spot that the site proposed would not answer, and he was directed to select another. In the meantime I paid a visit to Sedashegar, and, after conversing with Captain Fraser, who had been lying in the bay during the whole of the monsoon, and after a careful inspection of his plan and soundings of the harbour, and a comparison of those with the plan of Captain Taylor, I arrived at the conclusion, based upon a long engineering experience, that to run out a pier from the east side of the cove, in shallow water, and in water constantly getting shallower, would be both useless and expensive, and I adopted, and directed the district engineer to carry out the simpler, cheaper, and more readily executed plan of constructing a wharf along the deep water line of Carwar Head.

5. Of the direction thus given, Mr. Haywood was perfectly cognizant, for the matter was discussed in his presence; and his coadjutor, Dr. Forbes, stated at the time that he never had any idea that it was intended to run out a pier from the east shore. Such an idea was never contemplated by Captain Taylor.

6. If, therefore, as I gather from the complaints of Mr. Haywood, he has chosen to purchase land on behalf of the Company, and to build on the east side of the harbour, under the idea that a pier was going to be built, he has no one to blame but himself; for he was perfectly aware that no such pier was intended by me to be built, and a simple question put to the district engineer would have put him in possession of all the facts necessary to guide him in his decision.

7. With reference to the probability that the work would have been more quickly carried out by the Bombay officials than by those of Madras, Lieutenant Colonel Walker's Report will afford sufficient explanation, if any were necessary. There are, however, one or two statements made by Mr. Haywood relative to the discharge of men, which I should wish to have explained, and a reference on these points will be made to Lieutenant Colonel Walker.

8. The complaints as to the pecuniary loss incurred by the Company; the grievous sufferings inflicted on the cotton trade of India; the calamity to the cotton trade of England, savour too strongly of an address by the directors to the shareholders of the Company, as an excuse for failing dividends, to need any remark.

9. I may say, however, with reference to the scheme of an establishment at Sedashegar, that, in my opinion, the Company would have acted more wisely had they placed their head-quarters in the dry country above the ghâts. There they would have been in close proximity to the growers of cotton.

10. The latter would have seen that the Company was in earnest; the crop would have been cleaned and packed in the dry climate of the upper country, and sent down whenever a ship was in readiness to receive it.

11. At it is, the cotton will come down the ghât probably in slovenly-packed bundles; it will be liable to injury from moisture in coming down, or in the stores in which it is proposed to place it.

12. This, however, is a matter which the directors must settle with their agent; should however, they find out that he has not exercised a sound judgment in the selection of a site for their establishment, they must blame him, not the Government; at present the whole tone of Mr. Haywood's correspondence evinces a desire to throw responsibility off his own shoulders.

April 1862.

(signed) W. T. Denison.

(No. 1.)

EXTRACT from a Letter of Mr. Haywood, dated 30 November 1861.

Such as this road is it is a tolerable one, as owned by Mr. Haywood, but its material consisting not of vegetable mould but of gravel; such it has been for 50 years and upwards, being a portion of the Arbye Ghaut line to Coompata and Tuddry, expressly opened to facilitate the transport of cotton from Hoobly to those two ports.

So long as the 30 miles in continuation from the Bombay frontier to Hoobly remained untouched, which was the case until after the 1st May 1861, so long did the Canara authorities content themselves with keeping the road in efficient order for the traffic that could use it. For the absence of traffic Bombay, and not Madras, is answerable.

six feet more. Such a road this fact only as I hear it.

ON reaching the Madras frontier I came upon the ordinary country road, which is cut through the forest, and consists of the common soil of the jungle formed by the vegetable mould, which one week's traffic would grind into a bed of dust, as difficult for carts to pass over as the mud of the plains in the rainy season. From the frontier to this place is about 18 or 20 miles. There is no traffic upon the road now, and hitherto very little at any season; the road is, therefore, to all appearance a tolerable one; what it is beyond this to the Kygha Ghaut I shall inform you in my next letter. I am told that it is intended to make the Kygha Ghaut road only 12 feet wide by scarping the side of the ghaut six feet, and throwing over the soil to the width of can hardly be expected to stand the traffic of heavy carts. I state

LETTER, dated 20 December 1861.

Yellapoor to Bunkapoor, total distance 40 miles. Whereof in Canara 30, and in Dharwar 10 miles, 5 miles out of 30 in Canara have been passable as a dry weather cart road for upwards of 10 years, connecting Yellapoor and Moondgode. The 10 miles in Bombay is untouched. No demand is ever made or cooperation with Bombay in completing the remainder, until this year, when it was instantly completed with.

One bridge and several drains are already built on the Moondgode and Yellapoor road, and it is perfectly untrue that any nullahs are impassable in the dry season except by unloading the carts and having them and their contents carried over by coolies; when the last rains are over, the banks are sloped, or the nullahs temporarily bridged.

FROM Yellapoor a road is much wanted direct to Bunkapoor. We have had to travel about 14 miles out of a direct line from Bunkapoor to this place, and all the cotton coming from Bunkapoor to Sedashegar must traverse this road. A road is already made to Moondagoor from Yellapoor; this requires to be continued, thus saving 14 miles of land carriage; but the Moondagoor road wants bridges. At present the rivers or nullahs are in some places impassable, except by unloading the carts, and having them and their contents carried over by coolies, who are now employed for the purpose.

last rains are over, the banks are

(No. 2.)

EXTRACT from a Letter of Mr. Haywood, dated 9 January 1862.

A descent of 300 feet is made between Yellapoor and the Chinnapur pagoda. The road is an excellent one for light country traffic. Of the three so-called bridges two were built when Mr. Haywood saw the one, and his own carts went over them. They are only covered drains of nine to ten feet in span, and was only their embankments that were incomplete. The third, a simple arch of 24 feet span, was one third done.

IN my last letter I informed you of the state of the road in course of construction, from Hooblee to the Dharwar frontier, and thence to Yellapoor. Leaving Yellapoor I came upon about a mile and a half really excellent road, 24 feet wide, metalled with moorum. Between Yellapoor and the Chinnapur pagoda (a distance of six or seven miles) the remainder of the road is very indifferent, averaging 18 feet in width, requiring repairs in many places, as well as the completion of three bridges now in progress.

From

From the Chinnapore pagoda to Barra, a distance of about 17 miles, a good portion of the road is opened to 12 feet. In some parts it is only nine feet wide, and there are some portions very difficult to pass. Over several small streams or nullahs on this road temporary bridges have been made of rough timber or rafters, upon which branches of trees, leaves, &c. are spread, on which is laid a layer of earth. These bridges will be of very little use after the first few carts are passed over them.

From Barra to the top of the Khyga Ghat the distance is some two or three miles; thence to the foot of the ghat about eight or nine miles. Probably a third to one-half of this distance is roughly opened out to a width of 12 feet; the remainder is a mere bridle path about four feet wide; the average gradient of the ghat is one in 20. There were in all about 700 to 800 coolies at work upon the entire ghat. The engineer had only one assistant, apparently a sickly half caste. The coolies do not work on Sundays; but by way of rest they are obliged to travel distances of 10, 15, or 20 miles to obtain their supplies of food for the ensuing week. They benefit nothing by the privilege; and it is but reasonable to suppose that they are not very fit for a day's work on Monday. Fever is prevalent among them, and no wonder. It is obvious that the Government would be the gainer if a stock of rice and other provisions were provided for the coolies, and sold to them at current rates. If the comfort of the coolies were thus consulted, it is very probable that the difficulty now met with by the Madras officer in procuring more labour would be greatly removed. It has not been intended by the Madras Government to open the road to more than 12 feet wide this year; and from all I could learn, there was little hope of this being accomplished.

From the foot of the ghat to Mullapore, on the banks of the Kalanuddy (about 12 miles), the road is traced or marked out, but there were no coolies employed upon it, the intention being to work from the top of the ghat downwards.

Mullapore is about 22 miles from Beikul, 25 by the ordinary road. The course of the road was being traced through the jungle from Mullapore towards Beikul when I came down.

At Beikul the line of road has been commenced along the hill sides, and an average of a yard or two in width has been scarped out for some distance; but the interruptions from the numerous projecting rocks and boulders requiring removal, suggest the doubt whether the more direct line across the perfectly level rice fields would not have been more easy and cheaper of construction. This has suggested itself to many persons to whom I spoke on the subject at Sedashegar.

The Madras officers state that the road will not be open lower than Mallapoor before the monsoon, and it is very doubtful if it will be open then. I cannot understand on what grounds it was ever stated by the Madras Government that the road would be opened by March next, unless the promise was made with a view to obviate the transfer. If the Madras Government based this statement upon any calculation of their engineers, the present condition of the road, together with the fact that the road will not be open, proves their incompetency for the work, and justifies the transfer.

The district engineer experienced not the slightest difficulty in taking his carts to Barra a few days before Mr. Haywood saw the road. They travelled by moonlight without accident.

I have known a well made bridge of this construction, in one span of 24 feet, last for five years with mere surface repairs.

Subordinate superintendence very defective, as appears to be the case throughout the Madras Department Public Works.

Vain attempts were made by the district engineer in September 1861, at Yellapoor and Soonksail, the nearest bazaars, to induce shopkeepers to move temporarily to the ghat. Similar attempts made by the Bombay authorities in February 1862, were equally unavailing. The unhealthiness of the season kept them, as well as coolies, away from our works.

(signed) G. W. W.

The lower line of road here mentioned has been adopted by the Bombay engineers, who are in the habit of laying out such works in a much more expensive scale than has ever been attempted in Madras. For instance, the superintending engineer, Lieutenant Colonel Kennedy, priced at from 6,000 rupees to 10,000 rupees per mile what the district engineer estimated at 3,000 rupees a mile on the Madras scale.

(signed) G. W. W.

A good road varying from 12 to 18 feet in width could easily have been made to Mullapoor, the head of river navigation, and in the district engineer's opinion the works should have been limited to that for the season as at once opening the trade. Mr. Haywood should now be requested to state his opinion of the progress made since transfer.

(No. 3.)

EXTRACT from a Letter of Mr. Haywood, dated 9 January 1862.

A 12-FEET trace down the ghat will give room only for one cart safely to pass. It was proposed to allow carts only to go down the ghat at certain hours in the morning, the return carts to travel up at corresponding hours at night. This 12-foot trace consists of six or eight feet cut into the sides of the ghat, the remaining four or six feet being formed of earth and stone thrown over on the hill side and levelled; no metalling to be done until the road is widened hereafter to 24 feet. The 12-foot trace would, therefore, be very soon cut up, and rendered almost impassable under a heavy cotton traffic. To widen the present 12-foot trace to 24 feet must necessarily throw the whole road into confusion, as 12 feet more must be cut out of the hill sides, and the cost of levelling the present 12 feet will be almost thrown away. If there were no prospect of a large traffic, a 12-foot trace might be sufficient to begin with; even then it should be metalled. But there is scarcely a doubt that nearly all the Coompta traffic will speedily come down this ghat so soon as the native and other merchants know that the port is available, and there is a

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The best answer to give on this point is to state the fact that the Dinamany Ghat and road from Sircy to Coompta was opened in the manner in contemplation. Inconvenience occurred no doubt, but was made light of to enable carts to use the road a season earlier.

Mr. Haywood's assertion that all the Coompta traffic would come to Bietkool immediately remains to be proved. The only merchants who were at all in a position to use the Kyga road, if opened by April 1862, were Messrs. Nicol & Co. of Bombay, but even they would much rather carry on at Coompta some time longer to allow themselves, as well as Government, time to complete their arrangements. The Manchester Cotton Company had not, up to the close of season 1861-62, landed a single article for their future establishments at Bietkool, and Mr. Haywood would do well to consider whether failures do not occur in other than Government works from causes unforeseen or beyond control.

(signed) G. W. Walker, Lieut.-Col.,
District Engineer.

good road to it. The loss of time through the non-settlement of the transfer six months ago, and the absence of energy, and the necessary means for opening the road, may therefore be said to have cost the trade one season, and may tend to damp the zeal and energy with which the supporters of the Company lent their aid to our undertaking.

I believe the Bombay Government is prepared to do all in its power to open the road with the least possible delay, and I will shortly inform you what steps will be taken.

EXTRACT of Letter from Mr. Assistant Supervisor *Fernandez*, forwarding the Certificate on the other side, dated 13 January 1862.

"THE man sent by me some time ago to Sawunt Warree was, it appears, sending me about 200 coolies, but some one belonging to the Public Works Department in that country is said to have carried away from him all the men that he was then sending to me; whereupon it appears that the man in question had the need of appearing with a complaint before the Political Agent there, and a certificate given him by that officer is herewith forwarded for your perusal.

(signed) "V. M. Fernandez."

(True extract.)

(signed) G. W. Walker, Lieut.-Col.
Madras Engineers.

CONSEQUENT on the demand for labour in this immediate neighbourhood, the bearer, who states his name to be Abdool Karreem, and his position that of a road dorogah, is unable to procure any coolies to go to the works in North Canara.

(signed) J. W. Schneider, Major,
Political Superintendent.

Sawunt Warree,
14 December 1861.

Public Works Department.—(Public.)

PROCEEDINGS of the *Madras* Government.

Read the following Endorsement of the Acting Deputy Chief Engineer, Central Circle, dated Chepauk, 27 May 1862, No. 1070 :—

Read the following Letter from Lieutenant Colonel G. W. Walker, District Engineer, to the Deputy Chief Engineer, Central Circle, dated Maigurwully, 14 May 1862 :—

Sir,

1. I HAVE the honour to submit the explanations called for in your Extract Proceedings No. 12,968, of 25th April. A few marginal remarks will suffice for most of Mr. Haywood's criticisms, but I will separately dispose of his paper, No. 4, relating to the discharge of 500 men from the Beikál harbour works, and add a few general observations.

2. I would premise, in the first place, that the insinuation as to secrecy and want of openness on my part comes with a peculiarly ill grace from Mr. Haywood. For a period of about a fortnight preceding and during the visit of his Excellency the Governor to Beikál in October 1861, though encamped in Mr. Haywood's immediate vicinity, and in daily communication with Dr. Forbes, the officer deputed by the Bombay Government to accompany him, he never took advantage of the opportunity of getting any information from me on the subjects of his mission to India. On one occasion only had we any conversation together, and that was when landing in the same boat after attending his Excellency on board the steamer which took him away. Again, between the dates of two of his letters, he was at Sedashegar, and my own guest on the 25th December, and I will leave it to himself to state whether there was any reticence shown in my conversations with him on that occasion. He might then have obtained the fullest information on the subject of the dismissal of 500 men from Beikál works; my order regarding which to Mr. Boesinger, and indeed every official paper in my possession, should have been at his disposal.

3. I was absent from Beikál the first three weeks of December, on a tour by the Unshy Ghát and road to Hullial, returning by Yellapoor and Kaiga Ghát, where I met Captain Searle, and put him in charge of the works. I had left Mr. Boesinger with 200 men, and found him with 700 on my return, although meanwhile he had been representing to me the insufficiency of the rate allowed, and had gone so far as to threaten to resign his appointment if an increase was not granted. So far from having trained any portion of this large body of coolies to the effective use of jumpers, crowbars, wedges, and other tools employed in removing rock, partly from his time being taken up with landing stores and machinery, partly from his own entire ignorance of blasting operations, I found the men most uselessly employed and inefficiently superintended. I also discovered that, in spite of the cry for an increase of wages not a cooly would leave the Beikál works at 4 rupees a month for the Kaiga works at 5 rupees. I therefore ordered a reduction to the original number of 200,

with

with permission to increase it as fast as Mr. Boesinger could train and supervise them efficiently, and I gave him *carte blanche* as to the wages he should pay those labourers whom he found means of training to the skilful use of the tools above-mentioned; steadily refusing, at the same time, any increase of the general rate for earthwork. For every one of the 500 men thus discharged work was offered under Captain Searle on the Ghât at 5 rupees a month, and under Lieutenant Fraser between the Ghât and Beikâl at 4½ rupees; and, as I have reported in another letter, there is no doubt they would all have been so absorbed but for the news of the transfer to Bombay just then received, which led to hopes, afterwards fulfilled, of unlimited employment at Beikâl, with, as I believe, the worst effects on the progress of the Ghât itself.

4. Had Mr. Haywood communicated with me freely, he would have found me an advocate for the transfer of Sedashegar and its approaches to Bombay on purely commercial grounds. He would have found me ready to admit my want of efficient superintendence for the Kaiga and Beikâl works. My impression is that he was not permitted by those in charge of him to communicate with one so fully informed as myself of the relative proportions of work done under the Madras and Bombay Governments for facilitating the export of the cotton and other produce of the Southern Mahratta country. It might not have suited the views of the Bombay Government that he should learn of their having refused the services of one of their assistant executives (Mr. Barton) for work on the Kaiga Ghât under Madras management, while professing at the time to have ample superintendence available for carrying out the same work themselves. There is no doubt but that Kaiga and Beikâl works would have been better supplied with labour under the Bombay Government than under Madras, for all those sources which were sealed to Canara as a Madras province would have been opened to it freely under Bombay, to secure fulfilment of pledges made with special view to secure the cession. I append herewith an original paper to show how the attempts of my worthy assistant, Mr. Fernandez, to obtain labour from Sawunth Waree were frustrated. Next season we shall see that the orders given will be to answer all demands from North Canara first, and to suspend any operations that might interfere with them. North Canara works generally will, I fear, be in like manner postponed to special benefit of Beikâl, which alone comes under the notice of the European community and press.

Submitted to Government with reference to their proceedings,
No. 810, under date the 21st April 1862.

1. Letter from Lieutenant-Colonel Walker, district engineer, dated 14th May 1862, with three enclosures.

(signed) J. Ouchterlony, Lieut. Colonel,
Acting Deputy Chief Engineer, Central Circle.

ORDER thereon, 9th June 1862, No. 1303.

ORDERED, That the foregoing letter be communicated to the Right Honourable the Secretary of State.

(True extract.)

(signed) W. H. Horsley, Lieut. Colonel,
Secretary to Government.

— No. 27. —

PUBLIC WORKS DESPATCH from *Bombay*, dated 2 April (No. 3) 1862.

IN the 3d para. of your Despatch, No. 2, dated the 8th February, you have informed us on the authority of "the latest advices on the subject received from Madras," that "the Canara portion of the road, over the Kyga Ghaut to Sedashegar, is expected to be finished as early as April next."

2. Being aware of the great importance of having reliable information for our future guidance in administering the government of North Canara, we specially directed the officers deputed by us "to set on foot the measures necessary to develop the advantages of the transfer of that province to this Presidency," to visit the Kyga Ghaut road, from Beikool to the Dharwar frontier, and to ascertain and report what remained to be done.

3. We request particular attention to the 3d and 13th paras. of their report, a copy of which is annexed, from which it will be seen that, so far from the Canara portion of the road being finished as early as April, it is utterly impossible that it can be finished, even in another year; what we presume was really meant in the advices to which you refer was, that reasonable hope might be entertained that, from Iddagoonjee, the point where the Kyga road leaves the Yellapoor and Ankola road, to the foot of the Kyga Ghaut, a trace, 12 feet

wide, would be cut, but that no attempt whatever would be made to increase the width to that provided in the estimate, viz. 27 feet, nor to give it a hard or smooth surface, nor for any cross or side drainage whatever.

4. It is very possible that on a narrow pathway of loose earth, such as the road above described would be if completed to the extent specified, a few laden carts might descend and empty ones ascend; and it was, we are informed, palpable that the Madras officers did not even contemplate anything more being completed within the time specified, as neither lime, brick, stone nor metal had been collected, nor had any attempt been made, so far as could be ascertained, to obtain skilled labour for constructing cross drains; it need not be explained that a road as above described would be altogether unfit to carry any considerable traffic; on the other hand, when the officers above referred to saw that portion of Captain Playfair's road which lies between the frontier and Davekope, they found most of the masonry cross drains finished, and learnt from Captain Playfair that he felt confident that all the masonry drains between Hooblee and the frontier would be completed by the 30th of April at latest. Indeed so satisfied are we that the Dharwar portion of the road is in by far the most advanced state, that we only await the final transfer of the province to withdraw the gang of convicts which has been employed in the Dharwar district under Captain Playfair, and set them to work within the Canara district.

Bombay Castle,
2 April 1862.

We have, &c.
(signed) *G. Clerk.*
W. E. Frere.
J. D. Inverarity.

Enclosures, in No. 27.

NORTH CANARA.

REPORT by Colonel *H. B. Turner*, Acting Secretary to Government, Public Works Department, and *T. C. Hope*, Esq., Bombay Civil Service, Private Secretary to His Excellency the Governor, dated 1 March, 1862.

ABSTRACT.

	Paras.		Paras.
I. Route - - - - -	1 and 2	VII. Bejtkul, Civil Arrangements:	
II. Kyga Ghaut Road:		Tenures of land - - - - -	30 to 32
Beitkul to Mullapoor - - - - -	3	Steps taken for resumption - - - - -	33
Mullapoor to the Kyga Ghaut - - - - -	4 and 5	Disposal of land when resumed - - - - -	34
The Kyga Ghaut - - - - -	6	Municipality suggested - - - - -	35
Wullicota to Iddagoonjee - - - - -	7	Telegraphic and postal communication - - - - -	36
Review of state, and measures adopted - - - - -	8 and 9		
Future prospects - - - - -	10 and 11	VIII. Minor Public Works:	
Continuation from Iddagoonjee to Hooblee - - - - -	12 and 13	Honoré gaol - - - - -	37
III. Unshy Ghaut Road - - - - -	14	Other works - - - - -	38
IV. Arbyle and Ankola Road - - - - -	15		
Traffic to be expected; permanent use of the line - - - - -	16 and 17	IX. Public Works Department:	
V. Devuchully Ghaut Road - - - - -	18	Establishments retained and dispensed with - - - - -	39
VI. Beitkul, Plan and Public Works;		Alterations in system - - - - -	40
Site of town; laying out; drainage; water, 19 and 20		Stores rejected - - - - -	41
Wharves - - - - -	21	Expenditure for the current and coming years - - - - -	42
Communications - - - - -	22		
Buildings, sites and buildings - - - - -	23	X. Information on Civil Matters:	
Lighthouse - - - - -	24	Brief statistics; objects of separate memorandum - - - - -	43
Harbour Works - - - - -	25 to 29	Conclusion - - - - -	44

From Colonel *Turner*, Acting Secretary to Government, Public Works Department, and *T. C. Hope*, Esq., Private Secretary to His Excellency the Governor, to the Secretary to Government, Revenue Department.

Sir,

Bombay, 1 March 1862.

I.
Route.

IN compliance with the instructions conveyed in Government letter, No. 368, dated the 31st of January, we embarked on board H. M.'s steam-vessel "Victoria" on the following afternoon, and reached Beitkul at about 3 P.M. on the 3d ultimo. That afternoon, and the whole of the following day, were devoted to local examination and inquiries, and to conferring

ferring with Lieutenant Colonel Kennedy, the superintending engineer, S. C., and Lieutenant Colonel Walker, the district engineer. On the 5th we inspected the line of the proposed road from Beikul to Mullapoor, on the Kala Nuddee, a distance of about 22 miles. From Mullapoor we made an excursion to the summit of the Unshy Ghaut, about 13 miles, and returning thence, ascended the Kyga Ghaut to Wullicota, 22 miles from Mullapoor, whence we continued our journey to Yellapoor, 24 miles further, which we reached on the 8th instant. We there met the collector, Mr. Fisher.

2. On the 10th we proceeded, *viâ* Sungutteekop, the village on the Dharwar frontier, to Deveekop, a distance of 20 miles, where the subsidiary gaoi has been established. After inspecting the prisoners' work, about two miles beyond that village, and conferring with the collector, the judge, and the executive engineer of Dharwar, we returned to Yellapoor, and thence went down the Arbye Ghaut road to Ankola, a distance of 45 miles. From that place we proceeded, in the "Victoria," to Honore, visited the old and new gaois there, and the other public buildings, and during the night returned to Ankola. Landing there again, we examined the coast road from that place to Beikul, which we finally left for Bombay on the 15th, after visiting the Oyster Rocks, and selecting the site for the lighthouse. Lieutenant Colonel Kennedy accompanied us throughout our tour, with the exception of our visits to Yellapoor and Deveekop.

3. The road from Beikul to Mullapoor laves the north-eastern angle of the cove, and with some breaks, where rock cutting is necessary, has been traced to an average width of six feet for about 11 miles. The greater part of this line runs along the hill side, and passes at a gradient of one in 19 over a ghaut, the summit level of which is between 700 and 800 feet above the sea. From the village of Deloor, beyond the ghaut, the line has been selected, and marked out by one of Lieutenant Colonel Walker's subordinates, but only portions here and there have been opened out to six feet. This line also passes generally along the hill side, and over considerable ascents and descents, till at length it reaches at Mullapoor the head of the Kala Nuddee navigation, at a level of only a few feet above the bank of the river. To compel an extensive commercial traffic to pass over such obstacles as these continued ascents and descents present, appeared to us an evil of sufficient magnitude to warrant the examination of another and more level line, the course of which was quite apparent from the road we traversed. The whole was inspected by Captain Baker, who met us at Mullapoor, and all the bad portion of it by Lieutenant Colonel Kennedy also, and both reported to us that a line, nearly level the whole way, and considerably shorter, is perfectly practicable; the only works of any magnitude being three bridges across tributaries of the Kala Nuddee, the largest of which will require a waterway not exceeding 200 feet. We have therefore directed that the high level line be abandoned, and the alternative line commenced directly labour is available.

II.
Kyga Ghaut Road.

4. From Mullapoor to the foot of the Kyga Ghaut, a distance of about 13 miles, the line has been marked out, and similarly cleared, under Lieutenant Colonel Walker's orders; but it appeared to us to be so unnecessarily tortuous, that we directed it likewise to be abandoned, and a straighter line selected. This had been accomplished before we left.

5. In giving our reasons for abandoning these lines selected by Colonel Walker, we deem it right to add that he has explained to us that the peculiarly favourable character of the country for hill side road cutting, an objection on the part of the Government of Madras to carrying roads through cultivated land, and the difficulty of procuring skilled labour for bridge building, have frequently induced him to hug the hill-side, though involving both increased distance and undulations instead of level roads. But however urgent these or any other reasons which have led to the system may be, we could not recognise them as sufficient for forcing permanently a large commercial traffic over such palpable impediments, even were the difficulty of overcoming them far greater than it in reality is.

6. The Kyga Ghaut is about nine miles in length, along a singularly favourable feature for ghaut cutting, and the line selected has a maximum gradient of one in 20, with scarcely any rock cutting, excepting in one place, on which we placed a havildars' party from the company of sappers which accompanied us from Bombay. The upper six miles of this ghaut have been completed to a width of 12 feet, and Captain Searle, now in charge of the work, expected, when we met him, to complete to 12 feet the lower three miles, already cut out to six feet, by about the 1st of April; but his labourers, who had at one time numbered about 700, were, shortly before we left, reduced to 180 men only.

7. The road from Wullicota, the top of the Kyga ghaut, to the junction with the high road from Yellapoor to Coompta and Ankola at Iddagoonjee, six miles west of Yellapoor, has been opened to 12 feet. The portion which now passes over the Talkut Byle Ghaut requires revision, there being reason to believe that that ghaut might be altogether avoided. This portion and all west of it is unmetalled, the surface being of earth only, and therefore quite unfit for a heavy traffic.

8. On reviewing the state of the entire Kyga road between Beikul and Iddagoonjee, it appeared to us that the only probability of rendering it of any use to traffic before the monsoon, or at an early date, lay in giving up all thought of working this season on the portions between Beikul and Mullapoor, and between Wullicota and Iddagoonjee, and in concentrating all available power on the unfinished three miles at the foot of the Kyga Ghaut, and the 13 miles from that point to Mullapoor, so as to provide complete communication, nowhere less than 12 feet wide, between the cotton districts and the head of the river navigation.

9. Orders, in accordance with this view, were at once issued to the local officers, and we took the following steps with the view of augmenting the supply of labour. We raised the ordinary rate for an able-bodied man from 5 rupees to 5½ rupees per mensem, and also

authorised seven rupees per mensem being given to head men who would bring 50 men to the works. Finding that there were no shops on the ghaut at which labourers could obtain food of any kind; that at villages nearer than Sedashegar, about 33 miles distant, exorbitant prices were charged; and that, in consequence of these difficulties, labourers were in the habit of employing their Sundays, and often a day or two more, in going to Sedashegar or their homes for supplies, we arranged with the collector to establish shops on the ghaut for the sale of grain at Sedashegar prices, the additional cost for carriage being debited to the works. These advantages will, in the first instance, be open to the labourers on the ghaut alone, but we have given Captain Baker discretionary power to extend them to those on the section from the ghaut to Mullapoor, if necessary. Notice of these arrangements was communicated to the chief civil authorities in all the adjoining collectorates, with a request that they would do all in their power to induce coolies to repair to the works. We also addressed a special letter to the political superintendent of Sawunt Warree, requesting him to send direct from Vingorla to Mullapoor, by boat, any number of labourers, not exceeding 600, that he might be able to collect, and engaging that the boat-hire for bringing them, as also for taking them back just before the burst of the monsoon, if they preferred the sea to the land route, should be defrayed by the Public Works Department. Finally, we applied to Bombay for tents, with the view of at once removing the gang of convicts from Deveekop to the foot of the Kyga—a measure which we afterwards postponed, in consequence of objections raised by the judges of Dharwar and North Canara, and the representations of Captain Playfair that their work at Deveekop must remain unfinished, unless they were left with him till the end of March.

10. We shall be glad to learn that the above measures have produced satisfactory results, but are not sanguine that they will do so, since the Sawunt Waree and Rutnagherry labourers generally prefer, and are absorbed by, the various large works including the Bhore and Thull Ghauts, to which they have been accustomed (*vide* letter from Major Schneider, accompaniment to Appendix A); and the men procurable in North Canara are mostly cultivators, who are in the habit of returning to their fields by the Holee, and who will almost all prefer even 4 rupees per mensem on the works at Beitkul and along the coast, to higher rates in the dense unpopulated jungles of the Kala Nuddee. In fact, we found the labourers discontented, and deserting daily, and we see reason to fear that the sudden reduction mentioned in paragraph 6 may prove to be more than temporary.

11. Considering these difficulties, we would strongly recommend the moving of the Deveekop gang to the foot of the ghaut, at the earliest practicable date, and strengthening it to the greatest possible extent from the Honore or other gaols. Just before the monsoon, it might, on sanitary grounds, be re-transferred to Captain Playfair's charge, for employment on the Hooblee and Anigeree road, or elsewhere; but at the opening of next season it should return to the ghaut, and continue there until the completion of that work. Even with the relief which the convicts will afford, however, it will be impossible to succeed next year in completing the line between Mullapoor and Beitkul, in widening out to 24 feet the portion between Wullicota and Iddagoonjee, and in giving the whole a surface fit for heavy traffic, unless the authorities in Rutnagherry, Sawunt Waree and South Canara will do their utmost to collect and forward to Mullapoor, at the very opening of the season, a large body of labourers.

12. From Iddagoonjee, *viâ* Yellapoor to Sunguttekothe road is 18 feet wide, and has generally a good moorumed surface, though in some places repair is much required. There are a few small masonry bridges on this road, but most of the cross drains are of timber, which abounds in its vicinity. These should be replaced by masonry drains as soon as the means are available; the road surface also must be metalled before it will carry the traffic which undoubtedly will come upon it.

13. We inspected about nine miles of Captain Playfair's road from Sunguttekothe towards Hooblee. It is being made in a very superior manner, though it likewise will eventually require metalling. All the masonry cross-drains between the frontier and Hooblee will be finished before the 30th of April, by which date the road will, Captain Playfair anticipates, be open for traffic, if the prisoners be not removed till the end of March. A little delay here, occasioned by their removal earlier, as recommended above, would however be, in our opinion, of less consequence than on the Kyga and its extension to Mullapoor, which are not nearly so far advanced.

14. The Unshy Ghaut road extends from Cadara on the Kala Nuddee, two miles above Mullapoor, to the Dharwar frontier near Hullihal, a distance of 71 miles, of which our inspection was limited to the ghaut itself, which is about 13 miles in length. With the exception of about two miles near the centre, this ghaut has been opened out to 12 feet, but it is devoid of any covered cross-drains. On the two miles in the centre, rock is prevalent, and to open it to the estimated width of 18 feet a considerable outlay will be required. At present a small party of 21 men are employed in removing this rock; but being without powder their progress is very slow. This ghaut should, in our opinion, be widened to 12 feet at once, by the completion of the two miles in question, so as to admit of its use for light cart traffic; but it does not appear to us advisable at present to continue it to the full width designed. We do not underrate the importance of the line, which will open out the hitherto half inaccessible Soopa Talook, and facilitate cultivation, trade and administration in all departments; but we consider it impossible to prosecute it simultaneously with the Kyga, and deem it the less urgently needed of the two. For a further description of it we refer to the annexed extracts of a memorandum furnished by Lieutenant Colonel Walker.

III. Unshy Ghaut Road.

15. The fact that the Kyga Ghaut road, if open at all this season, would be so only to a width of 12 feet, and with a very imperfect surface, and that its completion next year would be materially retarded if a large traffic were forced upon it while under construction, led to the consideration whether some other route, moderately practicable, could not be found on which to pass the traffic from the Dharwar districts to Beikul during the present and coming seasons. Such a route we thought might, even in addition to its temporary use, be of permanent advantage as an alternative for return traffic. Captain Baker, who had travelled over the district, informed us that it could be obtained with little delay and expense, by adopting the Arbyle Ghaut road to near Ankola, then turning off along the old coast line to Ahmedhully, and thence going to Beikul by either the coast or the Hyderghur Ghaut road, which falls into the Kyga Ghaut road at about three miles from Beikul.

We accordingly inspected the whole line, and found that the distances were as per margin, and that the facilities had not been exaggerated. From Iddagoonjee to the junction near Ankola only ordinary repairs were required, and from thence to Ahmedhully, about nine miles, a trace for a coast road had been laid out, and considerably advanced in some

places. Orders for effecting the repairs and completing the trace, where suitable, were at once issued. From Ahmedhully to Beikul by the Hyderghur Ghaut, little more was required than the removal of a few boulders and minor obstacles, but the distance was 11 miles, and the ghaut, though not quite so high as that on the line selected by Colonel Walker between Beikul and Mullapoor, was a formidable obstacle. On the other hand, we found a road existing from Ahmedhully to within three miles of Beikul, sandy, and without cross drains, indeed, but 12 feet wide, and perfectly level. The remaining three miles contained some rather difficult hill cutting, but with a rise of only 130 feet. The distance was only nine miles, and the line debouched into the very centre of the future station. These advantages led us unhesitatingly to select it in preference to the Hyderghur line for use next season, and in future; but as the rock-cutting and metalling could, even with the assistance of the sappers, be with difficulty completed before the monsoon, we ordered the immediate removal of the petty obstacles on the Hyderghur Ghaut. As labourers, who cannot be induced to go far inland, are willing to work near their villages on the coast, and to a comparatively late period of the season, we see every reason to hope that the whole line by the Arbyle and Hyderghur Ghauts may be open by the 15th of April next.

16. Before coming to final conclusions regarding the Kyga and Arbyle lines, we felt it our duty to inquire of Messrs. Nicol & Co. and Messrs. Robertson & Everett the nature and extent of their cotton transactions during the current season. Mr. Maxwell informed us, on behalf of Messrs. Nicol & Co., that he would probably be able to place on any suitable line, at least 100 carts per diem, from the date of opening till May 15th, and Messrs. Robertson & Everett, whose reply has only just reached us, appear equally desirous of availing themselves of the new line as soon as they are satisfied of its practicability.

17. Before quitting this part of our subject, we beg to add, that though we have sanctioned the Arbyle and Hyderghur road, to the extent above explained, as a temporary substitute for the Kyga, it will be of permanent advantage both as a coast road, which has long been an admitted desideratum, and is specially necessary now that Beikul will be a place of importance, and as a portion of the projected line, connecting the South Dharwar, Sircy and Koompta road with Beikul, to which we will now allude.

18. Beikul being a port from which exportation direct to Europe is practicable, and on which a large amount of capital will be expended in consequence, it is obviously desirable that it should drain the largest possible extent of country, even at the expense of other ports which can export only through Bombay. Belgaum, the northern portion of Dharwar, and the districts east of both, will be in easy communication with Beikul by the Unshy, Kyga and Arbyle Ghauts; but South Dharwar, North Mysore, and the country to the S. E., which now send their produce *viâ* Sircy and the Devamunny Ghaut to Coompta, will not be able to reach it, under existing arrangements, without a considerable and inconvenient detour. A short road, about 24 miles in length, to connect the Sircy and Coompta line at Sumpkhund with the Arbyle line near Ugsoor would, however, entirely remove this difficulty, and bring the whole of the southern traffic to Beikul. Having ascertained that there would be no engineering difficulty of magnitude in any part of the line, including the ghaut near Devunhully, we have called for a plan and estimate, and trust that Government will coincide in our view of its great importance, and sanction its commencement in the coming season. Being in a different direction, it does not seem likely to draw off labour from the Kyga and Beikul. In illustration of this and the other roads, we beg to refer to the map accompanying Appendix A.

19. The selection of a site for, and the laying out of a new town, and the other subjects detailed in the 7th paragraph of our instructions, have received our careful attention, and the plan accompanying Appendix A., will show the conclusions at which we have arrived. We are satisfied that Beikul village is the best position for the town, on account of its convenient situation with respect to the low and sheltered portion of the bay, the debouchement of the Kyga and Arbyle-Ankola roads, the public offices, and the residences of Europeans, and of its facilities for ventilation, water supply and drainage.

20. The direction of the streets in the plan has been determined by the prevailing breezes;

IV.
Arbyle and Ankola
Road.

Kyga Line.		Arbyle Line.	
Beikul to Mullapoor	- 20	Beikul to Ankola road <i>viâ</i>	- 20
Mullapoor to foot of Ghaut	- 13	Hyderghur Ghaut	- 20
Ghaut	- 9	Ankola road to Soogsal	- 20
Wullicotay to Iddagoonjee	- 17	Soogsal to Iddagoonjee	- 19
	59		59

V.
Devunhully Ghaut
Road.

VI.
Beikul,
Plan and Public
Works.

and a fine grove of trees has not been interfered with, in order that it may afford air and recreation to the inhabitants. For a comprehensive system of drainage the locality is peculiarly favourable. The town should be built with a slope of 12 feet from the high southern shore to the margin of the cove, along which a main drain should be constructed, to receive a series of smaller drains down the streets. The western end of this drain should be continued along the western shore of the cove and well round the point, so as to discharge the entire sewage clear of the cove, into the current which sweeps round the bay and out by Carwar Head. The supply of water, though not so ample as could be desired, is more abundant than in any other part of the bay. A few pukka wells should be constructed in convenient spots, such as those indicated on the plan, and should a larger supply than wells will afford be at some future time required, the ravine marked A appears favourable for the formation of a tank.

See Plan.

21. *Wharves.*—Wharfage, and a considerable open space for traffic, the temporary deposit of goods, &c. are of primary necessity, and we have come to the conclusion that they should, in the first instance, be provided on the east side of the cove, where level ground to some extent already exists, and more may be reclaimed, in preference to the west, where almost every square yard beyond a mere roadway must be cut out of the hill-side, or reclaimed from the cove. Having ascertained that there is no hard foundation in many parts of the cove even at a depth of 14 feet, the construction of any solid masonry work would involve expensive coffer-dams, means of unwatering them, &c. We have, therefore, directed that, on the line B C shown in the plan, a dry stone wharf-wall be built on the sand in about three feet water at low tide. This will probably settle, and it is possible that portions of it may have to be rebuilt; but even then its cost will be trifling compared with a wall of masonry founded on the rock; and the shell fish in the cove will soon unite the stones into one solid mass. This wall should be continued to D as soon as labour can be procured, and the part of the cove thereby inclosed should be filled up from the adjacent sands at low-water, so as to complete the open space between the cove and the hill, the existing portions of which we have already directed to be filled in and levelled. Should these dry stone walls be found to answer, as we are confident they will, the remainder of the wharf, which should eventually be continued from D round the cove, to E on the lines shown in the plan, should be built in the same style. Eventually the wharf may be continued to F, and a light screw pile jetty, constructed so as not to interfere in any degree with the sweep of the current, may be run out at G sufficiently far to admit of cargo boats coming along-side at low-water spring tides. On this jetty, as also along the wharves, one large and several small cranes should be erected.

See Plan.

22. *Communications.*—To connect the wharf with the ghaut lines and cotton screws, two roads are required, leading, the one to Konay, and the other to the low saddle H, over which the new coast road from Ahmedhully, referred to in paragraph 15 of this report, will approach Beikkul. The former should be carried, at a sufficient height above the surf, along the hill-side to Aliguddy, along the whole sea frontage of that village, where the Manchester Cotton Company's screws will be located, and through the rocky spur to the northward of it, into the Kyga road at Konay. To afford the means of communication with this village, where Messrs. Nicol & Co., and Brice & Co. have obtained land, and where there is more available for others, only a temporary bridge can, in the first instance, be erected, as the waterway requisite for a permanent one must be carefully ascertained during the ensuing monsoon. We have directed that this road and bridge, and the completion of the 12 feet trace from Konay to Sejwarra, where the Hyderghur Ghaut line joins the Kyga line, be at once carried out, as also the other road from the wharf to the saddle H, which must be constructed sooner or later, and if undertaken at once, will be of immediate use in affording communication with some of the most eligible sites for residences for Europeans. Next season, if funds and labour are available, it will be well to complete the half-finished trace (coloured yellow) above Aliguddy, as it will be useful for cart traffic and communication with sites for bungalows; we have marked on the plan, in blue dotted lines, the general direction of roads round Carwar Head, along the ridge towards the Godhully Hill and elsewhere, which may hereafter be constructed at the expense of the community, for general convenience and recreation.

See Plan.

23. *Building Sites.*—An eligible site for a custom house has been found at I, a knoll commanding the whole of the cove and wharves, and for a travellers' bungalow at J. Plans of these buildings accompany; and as they will be the only shelter for any officers who may be ordered to reside at Beikkul during the ensuing monsoon, we have authorised their immediate construction. We have also sanctioned a temporary building for the executive engineer's office at K, (a site suitable for it permanently), and huts for the sappers at L, where we thought that they could, during the ensuing rains, reside more conveniently, with reference to their work, than in any other spot. The plateau M is so airy and easy of access from all quarters, that we prefer it to any other, as a site for the collector's kutcherry, and have called for a revised plan and estimate, that drawn up for a kutcherry at Sircy being unnecessarily large, and likely to cost more than 19,500 rupees, the sum entered in the budget of 1862-63. Should it be thought necessary to quarter any native infantry at Beikkul, the only sites fit for the purpose are those marked N, O, P, Q; of these, the first is a sandy waste, distant from the native town, with slightly brackish water, and moreover, eligible for cotton screws; the second is airy, but confined, and likely to be much



much in request for bungalows for the mercantile community; the third is inaccessible until a road be made to it; and the fourth being sheltered and near the native town and treasury, appears to us the one which should be selected. We would propose to reserve the space R, round the square facing the wharf, for the Mamlutdar's Kutcheiry, Moonsiff's Court, Post Office, Telegraph Office, Police Station, and any other Government buildings which may eventually be required. The summit of the hill S would be a good position for a flagstaff, and signalman's or port officer's quarters. We have indicated by the letter T a number of sites in various parts which are suitable for bungalows for Europeans; those to the north will probably be the most sought after by the non-official community, and those to the south by the official.

24. *Light House.*—We visited the largest of the oyster rocks, the highest point of which, said by Lieutenant Taylor to be 160 feet above the sea, has rock on the surface, and at once presented itself to us as the most eligible spot for a lighthouse. A design, consisting of a plain column 40 feet high, with suitable accommodation at its base for lascars and stores, and with the means of ascending through the interior, was approved, and its commencement ordered; we regret, however, to add that the two lanthorns now at Sedashegar appear to be unfit for a lighthouse on the Oyster Rock, being similar to that recently erected at the Par River, which shows a light on three sides of a hexagon only. The Oyster Rock being three miles from the coast, with a deep channel inside it, ought to show a light for a complete circle. A new lanthorn similar to that at Perim, might, it is believed, be made up in the dockyard by the time the building is ready, the lamps and reflectors for it being procured from England.

25. *Harbour Works.*—Though we have not been called upon for any opinion as to the harbour of Sedashegar, and works required for its improvement, we deem it right to offer a few brief remarks. Captain Fraser's reports, the results of actual experience during a monsoon of unusual severity, point to the conclusion that the anchorage is safe for ten months of the year; and that during the greater part of this time no difficulty would be experienced in landing or shipping cargoes; in its present state, therefore, it must be considered as a better and safer harbour than many of those in which an extensive trade is carried on; but the time may, and probably will come, when a larger space for an anchorage than is at present sheltered by Carwar Head will become necessary, and when it will be very inconvenient to be obliged to move all the shipping to a safer refuge, even for two months; we are, therefore, of opinion that although no works for rendering the harbour more commodious are needed at the present moment, the time is not distant when its improvement will become imperative, and that therefore the best plan should be decided upon, and gradually furthered as opportunity offers.

26. There is no doubt that the silt brought down by the Kala Nuddee when in flood tends to fill up the harbour, and especially Beitkul Cove, the southern or upper end of which we found from digging and oral evidence taken on the spot, had shallowed five feet within the memory of some of the present occupants of the village. The tendency of the S.W. monsoon is to heap up a bank of sand to the south of the river, and so turn it to the northward clear of the harbour; the river, on the other hand, once in every few years overflows and bursts the bank heaped up by the monsoon, discharging its silty waters into the harbour. The river is thus a standing menace, not indeed of sudden ruin, but of silent injury, and while it continues so, considerable risk must inevitably attend any interference with the currents by piers or breakwaters; but if the action of the monsoon can be aided by artificial means, so as to keep the river permanently to the north of Cormaghur Island, the harbour is safe, and its improvement merely a matter of money, such aid might, we believe, be afforded with a moderate outlay, and satisfactory results, by driving stout stakes into the bank of sand with bamboo hurdles, supported by loose stones facing the river side; and we would submit, for the consideration of Government, the expediency of at once making the experiment; its success would involve not only the advantages to the harbour which we have enumerated, but the improvement of the entrance of the river itself.

27. The harbour once secure, and larger sheltered space than now exists being found necessary, it would be a question whether it should be created by an external breakwater alone, by a wet dock in the cove alone, as suggested by Captain Fraser, or by both—the former to ensure calm water at the gates of the latter. We are disposed to think that both may be found desirable; but that in that, or any other plan involving a breakwater which may be adopted, a wide channel between the southern end of the breakwater and Carwar Head is essential, to allow free action to the currents, and so keep the harbour at its present depth.

28. For the improvement of the cove under present circumstances, the dredge which has been recently ordered down will be very useful, provided she be accompanied by a sufficient number of barges. The 12 now at Kurrachee and not required there, might be ordered at once to Beitkul for use immediately after the monsoon; the water may also be a good deal deepened for boats, by arranging that all the filling in which will be necessary for the wharves and town shall be of sand taken from the upper end of the cove at low water.

29. We take this opportunity of suggesting that Captain Fraser's chart, with the addition of any recent discoveries, should be published, and measures taken for rendering it procurable by shipmasters in England.

VII.
Beitkul civil
arrangements.

30. Mr. Hope has made such inquiry as was practicable, into the tenures of land. The hills round about Beitkul, Alligudday, and Konay may, without hesitation, be considered as belonging to Government, in accordance with general decisions of the Madras Government, and sites for bungalows may be at once granted on any terms which Government think fit to prescribe. Applicants might have the option of leases such as those at Matheran and Mahableshwur, or purchase of the fee-simple under such rules as may be issued for the sale of waste lands. The lots should not, in general, exceed one acre each.

31. Statements of the various holdings in the three villages above-named, with maps illustrating them, together with the proceedings up to the present time, form one of the accompaniments to Appendix B. In Beitkul a very small portion of the land is admitted to belong to Government, which probably acquired it by lapse. The cultivators hold on a chalgueny, or temporary tenure, and if dispossessed, cannot claim compensation for anything except improvements. The remainder of the land is termed by the Madras authorities private property; that is, it is entered in the names of a few moolgars, or hereditary proprietors, who have the right of letting, mortgaging, or transferring it as they please, and who have in most instances parted with it, under various restrictions usual in such cases. The revenue records are of the most imperfect and untrustworthy nature; the fields rarely answer to the description of them; the assessment is often quite out of proportion to the value; and there can be little doubt that lapsed holdings and Government waste have been fraudulently appropriated to a great extent, at periods more or less remote. The whole of Alligudday is one estate only, and though the holders are at variance among themselves, their right as moolgars appears less open to question. In Konay, a good deal of the land is admitted to belong to Government, and is unoccupied; and there appears reason to suppose that the right of certain holders of the remainder is extremely questionable.

32. There is therefore every probability that, were a minute inquiry instituted, a certain amount of land, now considered as private property, might be found to belong to Government, and assessed accordingly; but considering the lapse of time, and the imperfectness of the records, it is not likely that the amount would be large, or the gain compensate for the cost and irritation of the scrutiny. We therefore consider that it will be best to reserve for investigation by the revenue survey or otherwise, the titles to all lands not required for strictly public purposes, and to leave European capitalists and others purchasing such lands before adjudication to do so at their own risk as regards title. Lands which are required for public purposes, on the other hand, may be resumed at once under Act VI. of 1857, and compensation awarded to the holders by arbitration, the nature of the ostensible title being in each case taken into consideration in the award.

33. In Alligudday and Konay, the only land which will be required for public purposes is a strip one chain in width, running along the sea face, for the road described in paragraph 22. We have requested the collector to take the usual steps for obtaining from the owners such portions of this as may not belong to Government. In Beitkul, however, we are satisfied that the only effectual means of economising space, checking speculation, and carrying out sanitary measures, is to take up the whole under Act VI. of 1857, and then dispose of it as we shall presently suggest. In this view we requested the collector to complete as soon as possible the settlement of the compensation for the portion for wharves, &c., regarding which a notice has already been issued by the Madras Government, to pay the money to the parties, and to make over the land to the Public Works Department. We also requested him to take steps for issuing a fresh notice regarding the remainder of the village, and he at once applied to the Madras Government for sanction to do so. That sanction having been promptly accorded, we trust that the compensation for the whole may have been disbursed, and the land transferred, before the 15th instant.

34. We would propose that the land, when transferred, should be marked out in accordance with the plan, that three or four of the principal streets should be cleared and levelled, and the portion intended for houses, though divided into lots, left till needed, with the present possessors, if they wish, on their agreeing to a suitable annual rental, with the liability to be obliged to vacate at one month's notice. In the event of any lot being applied for, the lease should be put up to auction, as is the rule at Kurrachee, and sold to the highest bidder in excess of an upset price fixed by Government. Each lot should bear a small ground rent, and the purchaser should be bound to fill it in up to the level decided on for that part of the town, and to spend within a certain time a certain sum on it, in proportion to which the lease should be of greater or less duration. Provision should also be made in the leases, or otherwise for ensuring the appropriation of the blocks to the south of the cove as dwelling houses only, as extensive warehouses, if permitted, would encroach too much on the population. We see no objection to the lots to the westward, which we have made somewhat larger, being sold without that condition, but under such restrictions to prevent monopoly as Government may think fit to impose. By these regulations no unnecessary hardship will be caused to the present occupants of the land, a safe tenure will be readily obtainable by purchasers, and a proper slope and some general uniformity and suitable distribution will be secured for the town.

35. For

Vide their Proceedings, No. 81, of Jan. 8th 1862, in Accompaniment to Appendix B. to this Report.

35. For the better execution of all such arrangements, and of sanitary measures, a municipality might advantageously, we think, be constituted, and the whole amount of compensation now to be paid might be debited to it, the proceeds of sale of sites being allowed it in return. The annual ground rent should, however, be reserved to Government.

36. With reference to your letter, No. 199, of the 5th ultimo, we have the honour to state that the most convenient line for commercial interests which the electric telegraph could take, would be from Dharwar direct to Beikul *via* Hullial and the Unshy Ghaut, and that as bamboos and timber are superabundant all along the line, there need be no difficulty in laying the wires after the monsoon, or whenever Government think fit to direct. The best method of postal communication would, we think, be to establish a general post line from Turrus, where the Hooblee, Hurryhur, and Sircy lines now meet, to Yellapoor, and thence down the Kyga to Beikul. From that place to Honore and down the coast a general post line is already in existence.

VII.
Beikul civil arrangements.

37. We visited the old and new gaols at Honore. The former is quite unfit for the purpose, and should be abandoned as soon as possible. The latter, on which about 30,000 rupees have been already expended, is built, Colonel Walker informed us, according to the standard plan sanctioned for the Madras Presidency. It appears, however, open to considerable objections as to plan, and the enclosure walls recently fell, in consequence of faulty workmanship. They have been only partly restored by the prisoners; the front of the guardroom, which has settled a good deal, must be rebuilt; and gaolers' quarters and numerous fittings are required. The cost of these would probably be 8,000 rupees. In the budget of 1862-63, 17,602 rupees have been entered, with the idea of more extensive improvements than we have named. It will be for Government to decide whether the gaol shall be completed at this cost, or left unfinished, and the prisoners, now only 138 in number, distributed between the Dhawar gaol and the gang at work on the ghauts. The latter arrangement would cause some saving in establishment.

VIII.
Minor public works in North Canara.

38. The only other works in the budget which deserve notice, are the road from Moondagode to the frontier, a most important link in the communication to Bunkapoor; the bridges on the Gairsoppa road, which are in progress and must be completed; and the proposed mamlutdar's kutcherry at Soopa, and customs and police chokees on the Goa frontier, on the necessity for which a further report should, we think, be called for from the collector. The sanctioned improvements of the navigation of the Kala Nuddee also demand attention.

39. The transfer of the public works of North Canara to this Government took place on the 1st ultimo. A complete list of the existing Madras establishment is attached, as also of the Rutnagherry establishment under Captain Baker, which has been transferred to North Canara (Accompaniments Nos. 2 and 3, Appendix A). The whole, costing 66,987 rupees per annum, is unnecessarily large, and should be at once reduced. We attach a list of the establishment we propose (Accompaniment No. 4) costing 47,720 rupees per annum. The services of the remaining officers and subordinates of the Madras Public Works Department may be dispensed with as soon as their Government can conveniently relieve them. In including among the latter an officer of Lieutenant Colonel Walker's rank and high character, we desire to express our obligations to him for the candour and readiness with which he has met all our inquiries, and to add that we have learned from him that he has already been offered, and has accepted promotion in his own Presidency. Three out of the four subordinate officers whom it is proposed to retain have been selected as being well known to, and influential with the people, and therefore useful in obtaining from the southern districts the services of masons, bricklayers, smiths, and sawyers: artisans, not one of whom can be obtained in North Canara.

IX.
Public Works Department.

40. The post of district engineer, held by Lieutenant Colonel Walker, appears nearly to correspond with that of superintending engineer in this Presidency, except that the duties are confined to one collectorate, and the salary is 600 rupees per mensem, that of first class executive engineer, instead of 800 rupees per mensem, that of a superintending engineer. The collectorate is divided into five ranges, each having its own executive officer, corresponding with our executive engineer, who keeps and renders separate accounts, has a separate office establishment, and is responsible for his own expenditure. In substituting the Bombay system, we think that the executive charge of North Canara should be for the present fixed as that of a second class executive engineer, in consideration of the responsibility involved, and the expense at present attending a residence in the district. Captain Baker should, as a special case, be promoted to this class. The Madras system of allowing permanent deputation to all officers of the Public Works Department should be continued until the roads are completed, in consideration of the fact that as the carriage of tents is almost an impossibility on many of the lines, all officers who have to travel now subscribe to maintain small bungalows at convenient distances. This indulgence should, however, be coupled with a prohibition, which may well be extended to all the civil departments, of withdrawing coolies from the works for the conveyance of personal baggage: a practice which, even though the assistance is liberally paid for, now causes much discontent and desertion among the labourers.

41. We examined the stores in charge of the Public Works Department at Beikul, and annex (Accompaniment No. 6 to Appendix A) lists of those taken and rejected. We could

not obtain the valuation of many of them, and some appear to have been already charged to the works. We have taken all that will be of any use. The rejected articles are not well adapted to the works contemplated, and we would suggest that the Madras Government be requested at once to remove them, because, if they remain at Beitkul, proper shelter for them, which does not now exist, must be built at considerable expense, and because in such a climate steam machinery requires constant attention and cleaning, or it will go to ruin.

42. We append a statement (Accompaniment No. 5, Appendix A), showing approximately the expenditure which has taken place during the three first quarters of the current official year, and the balance available on the 1st ultimo. This balance will, we believe, suffice for the remainder of the official year, even if the progress made comes up to our expectations. For the ensuing year five lakhs, the sum asked for in the letter transmitting the budget for North Canara for 1862-63, will be as much as can be actually spent. The allotments for particular works will need revision; but, in the absence of detailed plans and estimates, the want of which, with respect to even the principal works, we deem it right to bring to notice, it would be premature to revise at present.

The following are, however, the works which most urgently require to be pressed on next season :—

Beitkul.—Wharves on the east side, road from Konay to the Saddle H light house and kutcherry.

Kyga Road.—Beitkul to Mullapoor—Making to 24 feet and partly metalling.

Mullapoor to Wullicota—Widening to 24 feet and partly metalling.

Wullicota to Iddagoonjee—Widening to 24 feet and mooruming.

Iddagoonjee to the Dharwar frontier—Mooruming and making cross-drains.

Arbyle Road.—Mooruming from Devunhully Ghaut junction near Ugsoor, to Beitkul road junction, near Ankola.

Ankola Junction and Beitkul Road, by the Coast.—Completing and metalling.

Devunhully Ghaut Road.—Opening to 12 feet.

Moondagode and Bunkapoor Road.—Portion in North Canara.

As the power of pushing on each of these works will depend a good deal on the supply of labour, we think that considerable latitude should be given in the apportionment of the total sum between them.

X.
Information on
civil matters.

43. The area of North Canara is 4,200 square miles; the population 490,000; the gross revenue, in 1861-62, 18,96,957 rupees; the charges about 6,74,624 rupees; and the net revenue consequently 12,22,333 rupees. Mr. Hope has embodied in a separate memorandum (Appendix B) the information which he has collected regarding the revenue, police, magisterial, judicial, and other departments. Mr. Hope has not attempted to render this memorandum a complete statistical and administrative account of the collectorate, which seemed uncalled for, and for which the time available was quite insufficient; but has considered each branch with reference to the impending transfer, noting merely points on which early information appeared likely to be useful, or on which Government would shortly be called upon to pass decisions. The memorandum is complete without its voluminous accompaniments, which have been added merely in the expectation that they might be useful after the transfer for reference in matters of detail from time to time, until the Madras system was understood, or superseded by that of Bombay, as the case might be.

44. In conclusion, we have to express our grateful sense of the readiness universally displayed by the officers of the Madras Government in every department in facilitating our progress, and affording us such information and assistance as we required.

We have, &c.

(signed) *H. Blois Turner*, Colonel Commandant,
Acting Secretary to Government, P. W. D.

T. C. Hope, Private Secretary to H. E. the Governor.

APPENDIX A.

No. 1. Extract of a memorandum by Lieutenant-colonel Walker, descriptive of the road from Hullial to Cadara, *viâ* the Unshy Ghaut.

No. 2. Letter from the political superintendent Sawunt Waree, explaining the difficulty of procuring labour so late in the season.

No. 3. Sketch-map of North Canara and part of Dharwar, showing all existing and projected roads, with reference to their relation to the port of Beikul.

No. 1.

1. THE Hullial and Sedashegar line, by way of Unshy Ghaut, 71 miles.

No. 1.—1st Section. Dharwar frontier to Hullial.—Five miles opened to six yards width a number of years ago at the request of the Dharwar authorities, in extension of a line from Dharwar under progress by them, and since maintained in fair working order from the discretionary allowance. Liable to much damage in and after the monsoon, from the constant passage to and fro of the large herds of cattle kept at Hullial, for pasturage, at that time,—not metalled.

2nd Section. Hullial to Samzoida by Kaysuroly, Burchee Nulla and Soopa, 29 miles.—This and the following section are under construction on an estimate of 1,26,400 rupees, whereof has been expended, up to 31st January 1862, Rs. 34,802. 11. 6. But the original sanction has no reference whatever to the line on which section 2 is now being worked out, that first proposed having been through Dandilly and Potellee. The first diversion has been made to secure the benefits of a bridge over the large nulla at Hullial, both to this road and to that between Hullial and Yellapoor, which the Kaysuroly site affords, besides much better ground for approaches on either side. The second was designed to benefit the town of Soopa, lately made the capital of a new talook, and hitherto inaccessible, except by a detour of six miles extra, *viâ* Jugglepett. Of course the sanction of Government was sought and obtained for these alterations, and it should have been followed up by the preparation and submission of fresh surveys, estimates, and plans, but the inadequacy of the means at the disposal of the district engineer entirely precluded his taking the necessary steps.

Present state of Section 2.—Two and a half miles from Hullial to Kaysuroly bridge, opened out to eight yards in width, with side channels, &c., and covered with a four-inch layer of gravel, which must be renewed and added to next monsoon. The three elliptical arches of the Kaysuroly bridge are half completed; their span is 30 feet each, height 10 feet, on piers 17 feet high; material, brick in chunam, with stone cutwaters up-stream. Three and a half miles from Kaysuroly bridge to Kurky bridge lined out to eight yards width, with side channels, and open to cart traffic, but not finished in any way or metalled; many covered drains and minor bridges have to be put in. Kurky bridge, a single span of 30 feet, with 10 feet rise, springing from rock abutments, is completed, all but the parapets, and opened for traffic; but requires a good backing of concrete over the arch, and pointing of all the joints on the under side. Seven miles from Kurky bridge to Burchee Nulla opened as a dry-weather cart road, 12 feet wide. At Burchee Nulla, a bridge of three 30-feet arches, 10 feet high, on 16-feet piers, is being commenced; foundations having been dug, mud bricks being made on the spot. The river being a great obstacle in the monsoon, and the site having a bad reputation for fever, it was intended, if possible, to complete the work in one season, for which purpose a brick-making machine, with a European to work it, have been provided on the spot. But the latter is unable to bring the machine into operation, and is obliged to make all his bricks by hand; the supply will probably therefore be inadequate to finish the work in one season. A police station, with well, is in progress at this place, which is in the heart of a dense forest. Burchee Nulla to Soopa, 10 miles of dry-weather cart-road, 12 feet wide, without bridges or covered drains. Just at Soopa occurs a magnificent stream, at and formed by the junction of the Kala Nuddee and Oojilee Nuddee, and taking the former name. A bed of rock forming a natural dam stretches across the river, causing it to be easily fordable by foot passengers in the dry season, and affording an admirable foundation for a dry-weather roadway to be yearly renewed, or for a bridge of any description. Immediately above it is a basin of deep water, suitable for a ferry at all times; a section of the river over the natural rock dam is available. From Soopa to Samzoida, a distance of six miles, is open to 12 feet throughout as a dry-weather cart road, without bridges or covered drains.

3rd Section.—Samzoida to Boray Bunder, by Coomarwadda (9½), Unshy (13½), and the Unshy Ghaut (14), 37 miles. Of this section, 30 miles, viz. to below Borepali, a village half

half way down the Unshy Ghaut, is perfectly practicable as a dry-weather cart-road, 12 feet wide, without bridges or covered drains. Further progress down the ghaut is then stopped by rocky projections, which are only now in progress of being removed by a small gang of about 25 men. The four miles from foot of ghaut to Boray Bunder, are little more than an obliterated trace, not on the best line, and it is doubtful whether they need be opened out, except to connect the line with Goa traffic *via* the Goperhatty custom house, which the collector thinks very desirable, as enabling him to shut up the Coondol and Docorpen passes, and dispense with the land customs establishments there maintained. From the foot of the Unshy Ghaut, one mile of road to Kadara, will open up to the head of river navigation, and the establishment of a ferry will complete the communication to Beikul by the line below Kyga Ghaut.

It is hoped that this line of communication, all important for the development of the Soopa talook, will not be entirely neglected on account of the Kyga works. The want of it has been grievously felt twice within the last 15 years, when troops had to be maintained in the Soopa talook for many months together. Even as a cotton road it may prove by no means an insignificant feeder to the Beikul trade, leading as it does, not direct, to the Belgaum district and north of Dharwar. Access to the fertile and elevated ground about Woolwi to the great teak forest of Goond, and to the Soopa forests generally, is afforded by this ghaut and road only. The town of Soopa itself, with its fine water power and command of timber, situated as it is near the cotton-producing districts, may have a great manufacturing future before it.

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No. 2.

(No. 120 of 1862.)

From Major *F. Schneider*, Political Superintendent, Sawunt Waree, to Colonel *Turner*, Acting Secretary to Government, P.W.D., and *T. C. Hope*, Esq., Private Secretary to His Excellency the Governor, Sedashegar, dated 15 February 1862.

Gentlemen,

I HAVE the honour to acknowledge the receipt of your letter without number, dated 10th instant, and in reply to inform you, that I will make every endeavour to obtain coolies for the works alluded to.

2. I have had a notification written in Mahratta, giving terms, &c., and some 50 copies of this will be sent into my district, and even into the neighbouring villages of Rutnagherry; and the bearers will be ordered to do their utmost to obtain coolies, and instructions to the same effect will be issued to each district officer.

3. Should any coolies offer, I shall send them off at once to Vingorla for shipment to Sedashegar, but I must tell you, to prevent disappointment, that I despair of getting men for several reasons:—

1st. There is, as a general rule, a prejudice in this district among the labourers against North Canara, as so many men have gone there since 1857, and returned sick with fever of a bad kind.

2d. The cultivating season is at hand, and few men of these parts, who have land, will go anywhere now for work. In fact, it may be expected that most of those who are now employed on various public works about, will leave them for their homes within the next month.

3d. That the greater part of those who live by labour of this sort are already absent. There are nearly 2,000 on the New Parpoolee Ghaut, and numbers have gone up to the railways, where there are some already in North Canara and on the Tenai Ghaut. For the latter work, at the urgent requisition of the civil engineer, Mr. Barton, I have been trying to collect labour, but with all my endeavours have got but 150, at the outside, and these only went on condition that I should guarantee their discharge, if required, on 1st April, and that they should not be taken against their will beyond Tenai.

4. I have told you all this to show the small chance there is of my being able to afford you all the aid you require, in order that you may, in the meantime, try elsewhere.

5. In a few days I shall know what to expect, and will lose no time in writing again.

6. In addition to your terms, I have given out that I will pay eight rupees per mensem to muccadums who may bring 30 men, or to any man who may be chosen by a gang of 30.

I have, &c.
(signed) *F. Schneider*,

Sawunt Waree, Political Superintendent's Office,
Camp Wurkond, 15 February 1862.

Political Superintendent.



6. In addition to your terms, I have given out that I will pay eight rupees per mensem to muccadums who may bring 30 men, or to any man who may be chosen by a gang of 30.

I have, &c.
(signed) *F. Schneider*,
Political Superintendent.

Sawunt Waree, Political Superintendent's Office,
Camp Warkond, 15 February 1862.

APPENDIX B.

MEMORANDUM ON CIVIL MATTERS.

1. The area of North Canara is 4,300 square miles, and the population 490,089 souls, General information residing in 1,179 towns and villages. The distribution into talooks was changed not long ago, and still requires revision, it is said. There are now six talooks, viz., Soopa, Yellapoor, Ankola, Coondapoor, Honore, and Sircy, of which Honore is the most densely populated, Coondapoor next, Ankola and Sircy much behind, and Yellapoor and Soopa last of all. There are few towns of size and importance. Coompta, Hullihal, and Sircy have each a population of about 10,000; Beikul has 8,000; Ankola and Honore between 5,000 and 6,000; and Yellapoor 4,000 souls. The Ankola, Honore, and Coondapoor talooks are extensively cultivated, and the most productive. They are also the most healthy, and have an average rain-fall of 134 inches. The talooks above the ghauts have a fine soil, great capabilities, and a rain-fall of 79 inches; but they are thinly peopled, covered with fine bamboo and other jungles, and very feverish, on which account they are much dreaded by the people below the ghauts. It is said that there has been a marked increase in the amount of fever during the last three years. At Sircy last season scarcely one of the European residents escaped it, and the office establishments were so prostrated by it that it was found necessary to transfer the collector's treasury and boozoor to Honore, where they still remain. This fact is of importance in connection with the still undecided question as to whether Sircy or Beikul shall be the collector's head-quarters. The increase of fever is considered by some to be a mere temporary epidemic, which has, it is alleged, come gradually up the coast from the southward, and by others to be attributable to the increase of the jungles, consequent on improved forest conservancy and the prohibition of koomry, or burning the jungle for temporary cultivation.

2. The map accompanying Appendix A. will show that considerable progress has been made in providing North Canara with a good system of roads. The lengths actually opened for carts at all seasons are not indeed great as yet, but the roads in progress in various directions are numerous, and when completed will afford fair main outlets to almost all points of the collectorate. Fairs are held periodically at Gokurn, near Coompta, Woolve near Yellapoor, Koloor, and Sircy, and attract large numbers of people. There are a good many travellers' bungalows on the various lines, as also one or two collector's bungalows, and a number of temporary huts erected by subscription among the officers travelling in the district. The Municipal Act has not been introduced into any of the towns. A list of the principal men in each talooka, and other information on the subjects touched on in this section, are comprised in Accompaniment No. 1.

3. The receipts and charges for the past, current, and coming years, as shown in the Finance budget for 1862-63, are as under:—

RECEIPTS.	Actuals.	Estimates.		DISBURSEMENTS.	Actuals.	Estimates.	
	1860-61.	1861-62.	1862-63.		1860-61.	1861-62.	1862-63.
	<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>		<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>
Land Revenue, &c. :				Allowances, Refunds, &c.	3,362	4,200	6,400
Land Revenue -	8,51,311	9,07,160	8,73,180	Charges against Income :			
Sayer -	2,53,629	3,03,390	3,03,530	Land Revenue -	2,10,161	2,22,362	1,90,655
Abkaree -	43,955	52,500	61,560	Assessed Taxes -	278	1,640	3,478
Assessed Taxes :				Customs -	12,918	14,700	15,682
Income Tax -	4,915	25,000	26,950	Salt -	96,923	85,570	93,881
License Tax -	7,281	12,050	12,600	Stamps -	1,203	3,030	2,307
Customs -	85,325	95,380	44,900	Superannuations -	2,254	2,541	5,385
Salt -	2,89,527	4,26,520	4,29,600	Miscellaneous -	-	1,300	5,900
Stamps -	41,361	66,000	64,050	Allowances, &c. under			
Law and Justice -	6,830	6,783	12,372	Treaties -	61,166	42,956	50,385
Police -	8	-	-	Works of Internal Im-			
Marine -	93	90	150	provement, &c. -	647	723	16,600
Public Works -	3,670	1,970	3,600	Civil Services :			
Miscellaneous -	48	114	690	Public Departments -	-	786	1,016
				Law and Justice -	1,16,007	1,14,668	1,18,502
				Police -	88,852	1,75,660	1,73,214
				Education, Science,			
				and Art -	1,206	1,140	1,140
				Superannuation Al-			
				lowances, &c. -	2,647	2,266	3,505
				Marine -	488	445	516
				Miscellaneous -	616	637	1,310
				Civil Contingencies -	-	-	2,750
				Total charges -	5,98,728	6,74,624	6,92,626
				Balance, Net Revenue -	9,89,225	12,22,333	11,40,556
Grand Total - <i>Rs.</i>	15,87,953	18,96,957	18,33,182	Grand Total - <i>Rs.</i>	15,87,953	18,96,957	18,33,182

The above is taken from the copy of the budget received direct from Madras by the deputy auditor and accountant general. The copy which I obtained in North Canara from the local officers is not quite complete, owing to the practice in the Madras Presidency being for each department to send its own budget direct, instead of all being compiled by the collector; but I have thought it best to append it (Accompaniment No. 2) as it is more detailed, as far as it goes, than the other, and differs from it in some items.

4. Considerable attention has been paid in the Madras Presidency to regulating the system of accounts, and I append (Accompaniments Nos. 3, 4, 5, and 6) four printed manuals in English, relating to the accounts of the villages, the talookas, and the Salt and Forest Departments. The two former have been translated into the vernacular. Owing to peculiarities of tenure, and the absence of a survey, only 13 of the forms of village accounts (marked with an asterisk in the book) are in use in North Canara.

Land revenue.

5. The basis of the present land revenue of North Canara is a settlement termed the shist, made by the Rajas of Beejanuggur in the early part of the 14th century. No actual measurement took place, but the produce of each field was taken to be 12 times the amount of seed reported to have been usually sown in it, and was divided in the proportion of 25 per cent. to Government, 25 per cent. to the landlord, and 50 per cent. to the cultivator. In 1618 the Bednore Government added an extra assessment, equal to 50 per cent. of the old land rent, and termed the shamil. In 1764, and subsequently, further additions were made by Hyder Ali and Tipoo. On the conquest by the British Government, a settlement, involving considerable reductions, was made by Colonel Munro. From 1800 to 1810, the district was supposed to be very lightly assessed, and to be rapidly improving, but from 1810 to 1817, difficulty was experienced in realising the Government demands. The causes assigned were the decline of agriculture, the poverty of the ryots, and the increase of Colonel Munro's settlement in many instances. In 1819-20 Government directed that the average collections since the conquest by the British Government should be taken as the basis of a new settlement, which was accordingly introduced into South Canara, and the Honore and Coondapoor talooks of North Canara, under the name of the "Tharow," or "Surasree settlement." It was not extended to the Ankola, Soopa (including Yella-poor), and Soonda (now Sircy) talooks, in which certain other experiments were tried on a small scale, and it did not produce any marked results in Honore and Coondapoor during the next 11 years.

6. In 1832, the unsatisfactory state of North Canara was the subject of investigation by a special officer, and in consequence of his report, the tharow settlement was extended pretty generally by the local officers in the following year. The Board of Revenue did not, however, formally sanction this, and the correspondence on the subject was prolonged for some years. The total revenue was apparently not large in proportion to the resources of the district, and yet it was realised with difficulty, and the general complaint was the inequality of the assessment. This was ascribed to the settlement being by estates instead of by fields, and based on general considerations rather than the actual capabilities of the soil. There being no satisfactory records of field boundaries or crops, some estates were fraudulently increased out of the Government waste, others deteriorated from gardens into rice land, or fell out of cultivation, but the Government demand remained the same. The attempts of the collectors to rectify these inequalities only caused increased complications; the Government revenue might be sacrificed by remissions, but after a few years things were again as before. The native officials were, moreover, suspected of profiting extensively by conniving at or perpetrating frauds. The necessity for a permanent government demand, fairly distributed between estates according to their capabilities, and for a clear definition of boundaries, was generally admitted, and a survey of greater or less minuteness was more than once proposed by the local officers. No definite remedies were, however, sanctioned. In 1843, the Board of Revenue reviewed the whole of the correspondence, and stated that all previous settlements had been equally unsuccessful from the same cause—superficial inquiry—which had arisen from two radical defects in the revenue system; the absence of correct registers of land, and the defective nature of the accounts generally. The Board's proceedings on this occasion were considered by the Madras Government in 1847, but the latter were unwilling to pass any definite orders on the subject, on account of the difficulties which beset it. There appeared to them no doubt that the district, as a whole, was lightly assessed, but that accident, ignorance, and fraud made the assessment press unequally upon some individuals. Finally, a report was called for as to the expediency and cost of a survey.

7. An elaborate report was accordingly submitted in 1848 by the collector, Mr. Blane. He pointed out that the principle of assessing, on the basis of averages of collections, estates which were only partially cultivated, was false, and that the frauds had been so extensive that the assessment of lands lost, absorbed, and unaccounted for, was probably not less than six lakhs of rupees; and he argued that a survey of the most complete and detailed description was the only remedy. He did not think that any doubts as to the permanency of previous settlements, or the popularity of a new survey, should be allowed to interfere with the execution of a measure so politic, just, and advantageous to both Government and the people themselves. Government should not, however, look to raising the assessment on existing cultivation, but should treat past abuses leniently, and trust for a return to the absence of such in future, and to the increased prosperity of the district which would be certain to follow a clear definition of all existing rights. This discussion of the question, including the method of dealing with various special cases under the proposed

posed survey, was continued by Mr. Blane's successor, Mr. Maltby, but no definite steps have been taken up to the present time.

8. It will now be for Government to consider whether the Bombay revenue survey should be extended to North Canara. It is admitted that the existing settlement is unequal; that the records to show what lands it is paid upon are most imperfect; that government consequently has suffered, and still suffers, extensively by the fraudulent appropriation of lapsed holdings and government waste; that the uncertainties and difficulties attending taking up waste land interfere with the extension of cultivation; and that the general laxity and doubt as to tenure and assessment depreciate the value of property for mortgage and sale. The present collector is of opinion that the introduction of the Bombay survey is very desirable as a remedy for these acknowledged evils, and sees no reason for its being at all postponed. It would, however, be well, he thinks, to commence with the upper talooks, where there is the largest amount of waste, and opposition to a new measure is less likely to be excited than below the ghauts.

9. The staple product of the district is rice, which is grown as a rubbee crop as well as a khurreef; soapaee gardens and pepper are common; some of the poorer sorts of grain are grown on the hills; about 2,000 acres are planted with sugar cane; no cotton is grown except at Cadara, where Mr. Kleinknecht has a farm; and indigo and tobacco are not cultivated at all. No returns are kept of the areas appropriated to different crops, so that the proportions of each cannot be stated, but a general idea may be obtained by reference to the statement of exports (in Accompaniment, No. 14).

10. The jummaundy is effected annually by the collector, or his assistant, of the production of statements of cultivation, prepared by the shanbognes, or village accountants, and authenticated by the mamlutdars. The remissions are large (about two lakhs, or 20 per cent. of the whole), and are to a great extent of recognised annual necessity. It is believed that the jummaundy of all the talooks, except Sircy, will have been completed by the end of February, but the amount will not have been brought to account, and the collections will not be far advanced. There are six monthly instalments, beginning from December, above the ghauts, and from January below them; but the people mostly pay in the lump after the jummaundy, and readily; outstanding balances being rare except in the case of family disputes, and coercive measures for their recovery being seldom resorted to. The revenue is on the increase. The cash balances range as high as nine lakhs at some seasons, and would be readily taken up by merchants were treasury drafts more easily procurable than in practice they are found to be. Further details will be found in the collector's Jummaundy Report for 1860-61, and the statements of demands, collections, and balances for that year, and for January 1862, &c., which are appended. (Accompaniment No. 7.)

11. The revenue establishments will be found in detail in Accompaniment No. 8, but until a more accurate knowledge has been obtained of the work they have to perform, it would be premature to state whether they are excessive or the reverse. It may, however, be pointed out that if the collector, who has now direct charge of three talooks, is merely to supervise, according to the Bombay system, another assistant will be indispensable. There are no hereditary officers in either the talookas or the villages. All the village officers are stipendiaries, and are paid on abstracts; the patels, or monegars, once in six months, and the oogramnees (village peons) and shanbognes monthly. The shanbognes have often the charge of from 10 to 20 villages, and sometimes collect 12,000 rupees or 14,000 rupees. Their pay is about five or six rupees per mensem, and that of the oogramnees under them two or three rupees.

12. There are about 24 principal forests preserved by the Forest Department, and they have been roughly estimated to contain 126,600 teak trees, 10,500 blackwood trees, and 77,000 junglewood trees (*i. e.* Mutti, Nundi, Jambay, Honi, Honal, &c.), all full grown, fit for immediate use, and accessible. The extent to which these forests have been worked, and what they yield, is shown in the following statement:

YEARS.	RECEIPTS.			EXPENDITURE.			Balance— Profit.
	Above Ghauts.	Below Ghauts.	TOTAL.	Above Ghauts.	Below Ghauts.	TOTAL.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1853-54 - -	29,368	1,14,866	1,44,234	1,899	48,471	50,370	93,864
1854-55 - -	12,913	64,990	77,903	3,075	34,017	37,092	40,811
1855-56 - -	19,050	1,29,369	1,48,419	3,371	29,276	32,647	1,15,772
1856-57 - -	7,242	1,52,016	1,59,258	3,614	40,875	44,489	1,14,769
1857-58 - -	13,265	55,208	68,473	12,560	10,000	22,560	45,913
1858-59 - -	59,756	35,569	95,325	24,956	3,305	33,261	62,064
1859-60 - -	1,47,348	59,335	2,06,683	40,965	17,974	58,939	1,47,744
1860-61 - -	1,75,715	77,377	2,53,092	35,823	23,484	70,307	1,73,785

The timber in hand on 30th April 1861 was estimated at 1,54,000 rupees, but at the present time, as the annual sales have not been completed, it amounts to probably not less than

than 3,00,000 rupees. The forests below the ghauts are, under ordinary circumstances, less productive than those above, but they were worked less than usual in 1857, 1858, and 1859.

13. The system is one of direct management, and was introduced in 1857, in supersession of one under which the trees were sold standing, in large lots, and removed at the cost and risk of the purchaser. Now, the assistant conservator and his subordinates visit the jungles and mark the trees, whether teak wood or jungle wood, which they decide on felling. They are then felled either by contract or by an extra establishment, and conveyed by contract to the nearest suitable place for sale. Timber required for the Bombay depôt is reserved, and the remainder sold by public auction. The contractor who brings the trees down usually gets a per centage on the sum they fetch. Timber and bamboos required by natives of the district for their own use are granted on their applying to the Forest Department through the mamlutdars, and paying a certain seignorage. Small quantities required for huts, agricultural purposes, &c. are given gratis. Planting, pruning, and girdling trees is all done by contract under the supervision of the Forest Department. Every application to bring waste land into cultivation is referred by the revenue authorities to the assistant conservator, for report as to whether there are any objections on his part. He states that this causes him great labour, but that as his reports are necessarily based on those of ill-paid subordinates, they are often not to be depended on.

14. The forest expenses are of three kinds; the fixed establishment, costing about 9,000 rupees per annum (Accompaniment No. 8); the temporary establishment, costing about 3,000 rupees; and the expenses incurred in cutting, squaring, transporting, planting, and pruning, which came to 66,000 rupees in 1860-61. A proposal for raising the fixed establishment to about 12,000 rupees per annum has been for some time before the Madras Government, and will probably be one of the first questions on which this Government will have to decide. It is stated that the establishment has long been felt to be inadequate; that a first-rate assistant at Hullah for the Goond and other forests is much needed; and that any increased charge on that account, and in improving the lower grades of the establishment, would be far more than covered by the profits of improved conservancy.

15. It will also be a question whether the new organization of the Forest Department in this Presidency, now being carried out, shall be extended to North Canara. Both the collector and the assistant conservator expressed themselves in favour of its introduction, saying that it closely resembles their own system previous to the constitution of a separate Forest Department three years ago, and is preferable to the existing arrangement, which sets the revenue and forest authorities in antagonism.

16. A project for removing certain obstacles in the Kala Nuddee, with the view of making the export of jungle wood from its upper portions profitable, and of facilitating the floating of timber of all kinds, has been sanctioned by the Madras Government. The entire cost will be a lakh of rupees, of which 6,000 rupees have been sanctioned in the budget of the current year, and 10,000 rupees more entered in that of 1862-63. Nothing has been actually done as yet. Should the project prove successful, it is in contemplation to adopt a similar one for the Gungawally River.

17. As the forests of North Canara yield such an important portion of its revenue, and forest management is, moreover, engaging special attention in this Presidency, I have appended (Accompaniment No. 9) some rather voluminous documents illustrative of the system in force.

18. The abkaree arrangements are effected under Madras Regulation I. of 1820, Act XXXII. of 1845, and some recent circulars, copies of which are appended (Accompaniment No. 10). Each talooka is made a separate farm, and the farms are sold by auction for periods of five years. The last sale took place in July 1861, so that nothing will be required for above four years to come. The farmer is the sole authorised buyer of unfermented liquor: the shops and stills he may have are fixed, &c., much as in the Bombay system.

19. The revenue from stamps of all descriptions is about 66,000 rupees, of which a large portion is for stamps for judicial purposes sold in the talooks of Honore, Coondapoor, and Sircy, where the increased value of land has greatly promoted litigation. The Stamp Department is worked according to a complete printed manual, of which a copy is appended (Accompaniment No. 11).

20. The income tax produced about 18,000 rupees last year, and the cost of establishment was about 1,670 rupees. The mamlutdars were the assessors. This year the yield is expected to be 25,000 rupees, but the establishment has been dispensed with. The assessments are for the most part being confirmed under Act XXI. of 1861. No difficulty is experienced in the collections. The standing orders of the Madras Government, and a memorandum on the way they have been carried out, form Accompaniment No. 12.

21. The assessment and collection of the license tax are being effected by the ordinary revenue establishment at the same time as the Jumabundy. It is expected to produce about 12,000 rupees.—For the standing orders on the subject, *vide* Accompaniment No. 13.

22. There

Abkaree.

Stamps.

Income tax.

License tax.

22. There are five chief ports in the district: Koompta, Coondapoor, Sedashegar, Sea Customs, Tuddry, and Beikul, and also eight subordinate ports. The amount of trade was as follows in 1860-61 :—

IMPORTS.		EXPORTS.		TOTAL.
Merchandise.	Treasure.	Merchandise.	Treasure.	
Rs.	Rs.	Rs.	Rs.	Rs.
16,00,108	27,64,003	92,11,737	151	1,35,75,994

The principal articles were rice, the quantity of which was 357,105 Indian maunds, and cotton, which amounted to 626,100 Indian maunds. Arecanut, pepper, and sandalwood were the articles next in importance. The collections were 20,837 rupees, and the charges 6,672 rupees.—For further details, *vide* Accompaniment No. 14.

23. Land customs are levied under Act VI. of 1844, and a notification, dated 10th December 1860, at seven stations on the Goa frontier. The extent of the trade and amount of duty are shown in the following table:—

IMPORTS.		EXPORTS.		TOTAL.	
Value.	Duty.	Value.	Duty.	Value.	Duty.
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1,14,276	53,725	53,549	10,829	1,67,825	64,554

It is said that the system is not satisfactory, and that the stations are too numerous. The question will probably come before Government at an early date in connection with the construction of the new chokees, to be used jointly for customs and police purposes, which are entered in the Public Works budget for the coming year (*vide* paragraph 38 of Joint Report).—Further details under this head will be found in Accompaniment No. 14.

24. Salt is manufactured at certain pans, the largest of which are at Saneekutty, Koompta, Beikul, and Byndoor. The pans are private property, but the owners are bound to sell to Government alone what they manufacture. The amount which each may manufacture is usually prescribed annually by the collector, after considering the stock in hand and average consumption; but lately the limit has been temporarily removed, as the stock in hand was considered too low. The salt when purchased is sold by Government servants at the pans, and at certain inland depôts. The rate has been Rs. 1. 8. per Indian maund since July last. The collector states that a good deal of illicitly manufactured salt finds its way into the market, that the wastage is considerable (41,475 Indian maunds in 1860-61), and that there is no way of effectually examining the balances in hand. It will be a question how the latter should be made over on the transfer of the collectorate. The collector also states that he knows no objection to the customs and salt departments being placed under the Bombay Commissioner of Customs on the transfer, instead of under the collector.—For further details, *vide* Accompaniment No. 14.

25. The ferries are not regulated by any Act as in Bombay. About 20 are sold by auction annually to the highest bidders for the contracts, and three or four are under direct management. They produce about 6,000 rupees per annum, but only about half of this sum is credited to the local fund for public works; the remainder accrues from a ferry on a line considered to be Imperial. There are now no tolls in North Canara, and the collector thinks their introduction inexpedient. At one time tolls were levied on the Arbyle and Devamunny Ghauts on carts having wheels of a certain width, with the view of preventing the road being cut up, but after considerable correspondence they were abolished. The proceeds of the cattle pounds (Acts III., 1857; V., 1860; and XXII., 1861), after deducting charges, are carried to the local district conservancy fund for public works.

26. No instructions have been received by the collector regarding the paper currency. There are no restrictions on the sale of opium. Licenses for Koomry cultivation are now very rarely given, and only for prescribed areas. Quit rent is charged on some Government bungalows at Honore and Sircy. There are detailed lists of the pagoda and other allowances, which have all been turned into cash by the Mysore on British Governments, but no regular investigation of them has taken place.

Courts of Law.

27. The judicial establishments will be found in Accompaniment No. 8. There is no assistant judge. The principal sudder ameen receives all criminal cases in the first instance into his criminal court, and commits to the judge those which he considers require his decision. The amount of criminal work in the collectorate in 1861, is shown in the margin. The operation of the new codes will no doubt alter considerably its distribution between the several authorities. Translations of the code of criminal procedure have not yet been received from Madras, and a good deal of confusion is said to have been caused in consequence. The extent of the civil work in 1861 will be apparent from the following summary :—

Petty Offences.	Persons.
Dealt with by village police -	621
Ditto - - district police -	3,387
Ditto - - magistracy -	116
Crimes and Misdemeanors.	
Dealt with by Magistracy -	162
Ditto - - Criminal Court	153
Ditto - - Sessions Court -	49

COURTS.	Suits.							Executions of Decrees.			Miscellaneous Petitions.		
	Pending and Filed.		Disposed of.				Remained pending.	Applications pending and received.	Disposed of.	Pending.	Pending and presented.	Disposed of.	Pending.
			Decreed on Merits.		Otherwise disposed of.	TOTAL.							
	Original Suits.	Appeals.	Appealable.	Not Appealable.									
Civil Judge - - -	2	459	148	-	191	339	122	4	4	-	747	743	4
Principal Sudder Ameen	28	340	205	-	14	219	149	26	21	5	1,098	1,089	9
Moofy ditto - - -	60	-	19	-	11	30	30	242	176	66	529	524	5
Nine Moonsiffs - -	14,746	-	1,863	992	1,990	4,845	9,901	3,612	2,775	837	3,970	3,703	177
TOTAL - - -	14,836	799	2,235	992	2,206	5,433	10,202	3,884	2,976	908	6,344	6,149	195

The court of the moonsiff at Coompta was abolished in August last, so that there are now only eight moonsiffs, including the moofy sudder ameen, when sitting in the capacity of one. Copies of records are made by persons not in the Government service; all warrants for attachment and sale are executed by batta ameens; and all summonses, notices, &c., are served by batta peons. The collections on account of copies of records and batta are divided equally once a month between the persons employed. Further details regarding the civil and criminal work are given in Accompaniment No. 15.

Honore Gaol.

28. There are 143 prisoners at Honore, of whom about 35 have been located in the new gaol, which is unfinished, and the remainder are in the old one. The special gaol establishment is small (Accompaniment No. 8), and the prisoners are looked after chiefly by the police, both in gaol and at labour. The police guard, numbering 44 men, costs 264 rupees per mensem, and is debited to the Judicial Department. Little or nothing is done in the way of handicrafts and manufactures, but the prisoners are employed in quarrying stone for, and in building, the new gaol. The whole gaol management is conducted in accordance with the standing rules issued by the Madras Government, of which a copy is appended (Accompaniment No. 16.)

Police.

29. The information regarding the police is not so complete as might have been desired, owing to the European officers of the department having been absent from the collectorate at the time I visited it. The general principles of the Madras constabulary are, however, well known, and have been published officially, and the only points for report are the number and cost of men employed. These are pretty nearly as shown in Accompaniment No. 8, epitomised in the following Table :—

	Superior Officers.		Inspectors.		General Police.		Village Police.		Contingencies, Net.	TOTAL.	
	No.	Cost.	No.	Cost.	No.	Cost.	No.	Cost.	Amount.	No.	Cost.
		Rs.		Rs.		Rs.		Rs.	Rs.		Rs.
Sanctioned - - -	2	12,000	16	13,452	1,052	92,082	700	26,250	23,294	1,770	1,67,078
Actual - - -	1	3,600	13	12,192	856	65,811	296	11,172	25,000	1,166	1,14,175

The establishment is considerably below the sanctioned strength. It will be a question for Government to decide whether the force shall be remodelled on the Bombay system. The local authorities generally state that there would be no difficulty in the measure, the effect of which would be to reduce the number of higher appointments, but to raise the pay of

of the body of the force. Supposing the existing numbers to be taken as a basis, and the village police to be filled up as originally intended, the cost after re-organization would be about the same as at present.

30. There is a civil surgeon at Honore, and an apothecary at Sircy, besides three dressers, attached to the gaol, the police, and the collector's office, and a complete establishment for the civil dispensary at Honore. The civil surgeon is in charge of the vaccination department, and occasionally goes out to inspect the vaccinators, of whom there is one in each talooka. They receive from 7 rupees to 10 rupees per mensem, and are stated to be far from efficient. Only Christians will undertake the duty. The number of operations performed annually is from 4,500 to 6,500, and nearly all are stated to be successful, but the collector doubts the trustworthiness of the returns. Medical Department, vaccination.

31. There is at present only one Government school in North Canara, the talook school at Honore, which contains about 20 boys in the English department, and 40 in the vernacular. The amount entered in the budget is 1,140 rupees. Education.

32. Maps of the villages of Alligudday and Beitkul are appended (Accompaniments Nos. 18 and 19), and detailed statements of the extent, assessment, and tenure of the lands are among the papers forming Accompaniment No. 17. The map and statement for the village of Konay, and the land along the beach as far as the Sedashegar river, have unfortunately not yet been received from the collector, who was unable to furnish them at the time of our visit; a rough map of Konay is, however, appended (Accompaniment No. 20). The particulars of the part of Beitkul to be taken up under Act VI. of 1857, including certain small portions on which Government has claims of the nature referred to in paragraph 31 of the report, are epitomised in the following Table:— Land at Beitkul.

Total to be taken up.		Portion already taken.			Remaining to be taken.	
Area by old Survey.	Jummabundy.	Area.	Jummabundy.	Compensation awarded.	Area.	Jummabundy.
<i>A. g. a.</i>	<i>Rs. a. p.</i>	<i>A. g. a.</i>	<i>Rs. a. p.</i>	<i>Rs.</i>	<i>A. g. a.</i>	<i>Rs. a. p.</i>
64 33 10	119 5 3	16 15 14	19 9 1	4,785	59 6 0	99 12 0

The portion on which compensation still remains to be assessed will be not nearly so expensive as that already compensated for, as the latter contained a large proportion of the houses and most productive gardens. A sum of 15,000 rupees has been provided in the Civil Budget for 1862-63 to meet the entire charge on account of compensation. The whole of the land which will be required for the road along the shore between Beitkul and Alligudday is Government waste, with the exception of a small garden, which the collector has bought up, and the portion across the front of Alligudday, which is private property, and is understood to have been occupied by the Manchester Cotton Company. Its exact extent has not yet been marked out, but it will be about a chain in width, and will be compensated for at the same general rate as is adopted elsewhere. In Konay little land will be needed at first, but if the direct line across the fields from Sejwara to Konay be adopted, it will pass through part of Konay, and of the portion of the lands belonging to Beitkul, which is situated in the Baad Magany, and compensation will be necessary. As regards what is termed above "Government waste," in which is included the hills on which sites will be required for Europeans, it has already been explained in paragraph 30 of the report that the Madras Government has never recognised any private rights in the soil, or of pasturage. It has, however, been usual to allow ryots the use of 100 yards of waste outside their lands for grass and manure, and to reject applications for leave to cultivate Government waste when grazing ground absolutely requisite for the village would be thereby trenched upon. Such privileges are, however, attached to the cultivated land; and when that is bought up, as in the present instance, the compensation includes them also.

33. It is desirable that the views of Government on the subject of doubtful lands, referred to in the collector's letter of January 19th and 25th (*vide* Accompaniment No. 17), should be communicated to him as soon as possible.

T. C. Hope, Private Secretary.

MEMORANDUM.

Each of the authorities whose names or official designations are noted below, is to understand that the following copy or extract of resolution (together with any papers that may be appended) is sent for his information, or for his information and guidance (as the case may be), and for the issue of such subsidiary orders as may appear necessary for giving effect to the views of Government.

No. 1237 of 1862.—Revenue Department, dated Bombay Castle, 27th March 1862.

To

Colonel H. B. Turner	-	-	-	-	-	-
T. C. Hope, Esq.	-	-	-	-	-	-
The Revenue Commissioner, S. D.	-	-	-	-	-	-
W. A. Goldfinch, Esq.	-	-	-	-	-	-
The Registrar of the Sudder Adalat	-	-	-	-	-	-
The Commissioner of Customs, Salt, and Opium	-	-	-	-	-	-
The Inspector General of Prisons	-	-	-	-	-	-
The Conservator of Forests	-	-	-	-	-	-
The Superintendent Electric Telegraph	-	-	-	-	-	-
The Public Works Department of the Secretariat	-	-	-	-	-	-
The Deputy Auditor and Accountant General	-	-	-	-	-	-
The Civil Paymaster	-	-	-	-	-	-

With copies of the
Report, accompanied
by copies of the Maps
and Appendices.

COPY of the Resolution passed by Government on the Report regarding North Canara by Colonel *H. B. Turner*, Acting Secretary to Government, Public Works Department, and Mr. *T. C. Hope*, Bombay Civil Service, Private Secretary to his Excellency the Governor, dated 1st March 1862.

THE acknowledgments of the Government are due to Colonel Turner and Mr. Hope, for their valuable report, copies of which should be forwarded to Messrs. Hart and Goldfinch.

2. His Excellency the Governor in Council concurs generally in the remarks and suggestions contained in this report.

3. Only on two points has his Excellency in Council at present any observations to offer.

4. It seems that in the allotments proposed, the border of the cove itself will soon become very crowded; Government would therefore at least remove to some distance the travellers' bungalow and the executive engineer's office. There can be no good reason for constructing either so immediately upon the small space around the cove.

5. The Governor in Council cannot also comprehend how the Government can summarily possess themselves of lands on hills, or plains, "without hesitation, as belonging to Government, in accordance with general decisions of the Madras Government," nor how "sites for bungalows can at once be granted on any terms which Government think fit to prescribe." It may be that "there can be little doubt that lapsed holdings and Government waste have been fraudulently appropriated to a great extent at periods more or less remote;" but care must be taken that, in their proceedings, the Government are mindful of existing rights and tenures; and in the present instance his Excellency in Council would wish this important point to be thoroughly considered, and equitably and liberally disposed of.

6. With regard to the introduction of the survey in North Canara, Government have no doubt that it will be found best to commence it in the northern pergunnahs; but the season is at hand when the out-door work of the survey establishments ends for the year, and before they again go out the collector will have had time to institute full inquiries on all matters calling for the early attention of this Government.

7. The arrangement by which shops have been opened for the use of the workmen in places at a long distance from bazaars, mentioned in the 9th paragraph of Colonel Turner and Mr. Hope's letter, is, his Excellency in Council thinks, deserving of special notice and approval. The plan has long been adopted on the Bhore and Thull Ghauts, and is economical both in money and time.

8. It appears to his Excellency in Council that it would be advisable to sanction without delay the experiment suggested in paragraph 26, for keeping the course of the Kalleenuddee to the north of Cormaghur island. If successful, and effected at a moderate outlay, Government will have obtained their object; whilst on the other hand, if it be unsuccessful, the Government need not regret the expenditure, as it will prove that they must incur the risks which always accompany the interference with currents produced by the construction of breakwaters and piers.

9. The collector will be able to advise the terms to be given to those allowed to continue in temporary possession at Beitkul, as proposed in the 34th paragraph. A month's notice seems to his Excellency in Council rather too short.

10. Paragraph

10. Paragraph 36 should be communicated to the Electric Telegraph and Public Works Departments.

11. Orders on Mr. Fisher's letter, dated 19th January, referred to in paragraph 33 of Appendix B. have been already passed, and separate orders will be issued on the other letter, dated the 25th idem.

(signed) *A. D. Robertson,*
Acting Chief Secretary to Government.

— No. 28. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of
Bombay 31st May (No. 9), 1862.

Para. 1. I REGRET to learn from your Letter No. 3, of 2d April last, not only that the expectations held out by the Madras Government, that the Kygah Pass road would be completed by the end of April last, have not been realised, but that there is little or no hope that the road can be finished even in another year. It appears, however, that every exertion is being made to push on the work as fast as possible.

2. It is probable that before this Despatch reaches Bombay, proposals may have been made to you by parties in England, who are desirous of obtaining permission to lay down rails on the Kygah road.

3. It is very satisfactory to observe that the impossibility of rendering the Kygah Pass road presently available for traffic, has directed attention to an alternative route through the Arbyle Ghaut, which, it is believed, may suffice for communication between the Dharwar districts and Beikul, during the present and coming seasons, and which, it was hoped, would be opened by the middle of April last. Whenever this road shall really become available for the conveyance of cotton to the coast, it will be important that I should be at once advised of the fact.

4. I have not failed to observe that in passing orders upon certain proposals made respecting the assumption of land at Beikul for public purposes you have insisted on due regard being paid to existing rights and tenures. It is most desirable that these rights should, as you have enjoined, be dealt with, not merely equitably, but liberally.

(signed) *C. Wood.*

— No. 29. —

PUBLIC WORKS DESPATCH from *Bombay*, dated 5 May (No. 4) 1862.

Sir,

IN continuation of our Letter, No. 3, dated the 2d ultimo, we have the honour to submit the following brief report of the progress made up to the present date in opening the port of Sedashegar for the shipment of produce direct to England.

2. In our Letter above quoted, it was explained that although it might be possible, before heavy rain closes the season for conveying produce to the coast, for a few carts from the Dharwar districts to be brought down the Kyga Ghaut to the head of the Kalee Nuddee navigation at Mullapoor, it was hopeless to expect that, at so early a date, that road would be in a fit state to carry an extensive traffic, 36 miles of it being a mere undrained trace, 12 feet wide, with no better surface than common earth.

3. We are happy to inform you that our expectations have been fully realised. Early in last month the Kyga Ghaut had been completed to a width of 12 feet, and the nine miles of road between the foot of it had been sufficiently cleared to permit carts to pass, and several carts from the Dharwar districts did descend the ghaut and reach Mullapoor without difficulty, and returned laden.

4. It is right, however, that it should be clearly understood that, until the road down the Kyga Ghaut has been widened out to 27 feet, and cross drainage and a proper surface have been provided, and the roads leading to the ghaut from Iddagoonjee, and from it to Beitkool, have been similarly completed, it will not be fit for the object in view, viz., to enable all the Dharwar produce to reach the coast. When this time may arrive it is difficult now to foresee, and depends chiefly upon the quantity of labour that may be collected next year. In the meanwhile, we have transferred the Dharwar convicts into Canara, and have moved up those who were available in the Honore gaol, so that as much progress as possible may be made before the season closes.

5. Paragraphs 15 to 17 of the report on North Canara, a copy of which accompanied our Letter above quoted, will have explained that, as the prospect of completing the Kyga Ghaut line was remote, it had been determined to open for cart traffic, between the Dharwar districts and Beitkool, an alternative line *viâ* the Arbyle Ghaut and the coast road, and that we expected that it might be open for traffic by the 15th ultimo.

6. On this line, a company of sappers and miners, together with all the labour procurable, have been employed since the middle of February ; and by a recent official report, we learn that the road was opened for traffic to the village of Konay, in the Sedashegar Bay, within half a mile of Beitkool, on the 14th ultimo, and that on that day the executive engineer's office and establishment reached Konay from the Arbyle Ghaut in carts without the slightest difficulty.

7. Between the villages of Konay and Beitkool there is a rocky spur, through which a road is being cut. It is not yet finished, but from Konay itself there is no difficulty, when the weather is fair, in embarking produce ; and, therefore, had the merchants brought their produce to Sedashegar this season, or should they even now do so when the port of Coompta closes, it may be shipped for Bombay. There is no prospect of a direct shipment to England this season, their cotton presses not having reached Sedashegar at the date of the latest advices.

8. The existence of this alternative line will, as explained in the report above alluded to, not only be a permanent benefit both for local traffic as well as for that from Sircy to Sedashegar, as soon as a road from Sumpkund to Ugsoor shall have been completed ; but, by diverting the traffic from the Kyga line until it has been completed, it will expedite that important object.

9. The company of sappers and miners now at Beitkool will remain there throughout the monsoon, and be employed on the wharves and other local improvements ; and it is our intention, after the close of the monsoon, to send down another company, provided the services of one can then be spared.

We have, &c.
(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Bombay Castle, 5 May 1862.

— No. 30. —

EXTRACT PUBLIC WORKS DESPATCH from the Secretary of State to the Government of *Bombay*, dated 8 October (No. 16) 1862.

No. 4. Progress made in opening the port of Sedashegar, for the shipment of produce direct to England.

2. EXTRACTS from this Despatch have been forwarded to the Manchester Cotton Supply Association.

No. 30 A.

REVENUE DESPATCH from the Government of *Bombay*, dated 27th October
(No. 18) 1862.

WE have the honour to forward, for your information, extract from our proceedings on the subject of establishing a new town at Konay, in Sedashegar Bay, to be the commercial capital of the district of North Canara.

(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Bombay Castle,
27 October 1862.

Enclosures in No. 30 A.

(No. 3893.)

EXTRACT from the Proceedings of the Government of Bombay, in the Revenue Department, dated 27 October 1862.

Read the following letters:—

LETTER from Mr. *W. Hart*, Revenue Commissioner, S. D., to the Acting Chief Secretary to Government, dated 9th October 1862, No. 2525.

I HAVE the honour to report that, on receipt of the Government order, No. 2909, dated 28th July 1862, I forwarded a copy of it to the acting collector of North Canara, for his guidance.

2. In reply, Mr. Goldfinch forwarded to me a copy of a letter to him, No. 1252, dated 5th August, from Captain Baker, the executive engineer, from which the following is an extract, paragraph 2:—

“2. I shall have much pleasure in lining out a new town at Konay; but before I can decide what amount of ground is to be taken up, I must know whether Beikul (*i. e.* Konay) is to be the head quarter station of this district, or not. If it is, a large amount of space must be secured for a catcherry and treasury, adawlut, moonsiff's court, gaol, hospital, barracks, police lines, executive engineer's office, church, forest conservator's office, post and telegraph offices, and other Government buildings. If it is not the head quarters, many of these buildings will not be required, and those that are required will probably be smaller, and require less ground. The town and bazar will also cover more ground if this is to be head quarters, than if the greater number of Government officers reside elsewhere.”

3. In sending me this letter, Mr. Goldfinch* begged for the early decision of Government, “as it is very desirable that no time should be lost in defining the limits of the land to be taken up for the new town at Konay.” * No. 845, dated 6 August 1862.

4. I replied as follows (No. 1988, dated 15th August 1862) to the acting collector:—

“I have the honour to remind you that Government have already stated in their resolution, No. 1970,† dated 19th May 1862, paragraph 2, that they will not decide where the head quarters of North Canara should be until they have received from you a report to be furnished by you after you have had a 12 months' experience of the country; and to inform you that, as Government cannot at once decide as to what establishments they will retain at the port of Beikul, and as there is no doubt that, whatever public offices are established there, the greater part of them will be situated either close to Beikul Cove, or between Beikul and Konay, and not in the limits of the town to be laid out at the latter place, I shall feel obliged if you will, after consulting the Public Works Department, state your opinion as to whether it would not be sufficient for Government to obtain for all purposes at Konay an extent of from 150 to 200 acres, of which about 30 might be retained so as to be available for Government purposes, and the rest laid out in building lots.”

5. I have now the honour to submit appended to this letter Mr. Goldfinch's reply,‡ with its accompaniment, and also a memorandum,§ of three days later date, forwarding a correspondence † No. 999, dated 23 September 1862.
§ No. 1003, dated 26 September 1862.

spondence between the acting collector and Messrs. Nicol & Co.'s agent, Mr. Maxwell, respecting which I have (No. 2519, dated 8th October 1862), written to Mr. Goldfinch, as follows :—

“ I have the honour to acknowledge the receipt of your letter, No. 999, dated 23d September 1862, forwarding Captain Baker's proposals for the arrangement of a new town at Konay, and also the correspondence forwarded with your endorsement, No. 1008, dated 26th idem.

“ 2. You will, I presume, have duly received the message telegraphed by me from the Decksol Railway Station on receipt of the latter, in which I requested you to assure Messrs. Nicol & Co., and Messrs. Brice and Co., that no portion of their land at Konay will be taken by Government, unless required for roads, or other purely public purposes.

“ 3. It does not appear that in preparing his plan of a town at Konay, Captain Baker was acting with the cognizance of the superintending engineer of the southern circle, without whose professional opinion Government would, of course, be unwilling to come to any decision on the matter.

“ 4. Government would also desire that, before being called on to decide on particulars, the representatives of the several mercantile firms who have been the foremost in showing their appreciation of the port of Beitkul, by obtaining land for *bonâ fide* mercantile premises should be consulted, and have an opportunity of stating their opinions on the proposed arrangement of the site of the new town.

“ 5. I know that Government would also be most reluctant to deprive any of the firms to whom I allude of land purchased by them for the legitimate purposes of their business, unless forced to do so for the sake of the public good, and it does not appear from any of the papers submitted by you, that such a necessity exists, as respects the land now held by those who are mentioned in your correspondence, as unwilling to give it up.

“ 6. The only objects of Government in wishing to obtain possession of any land at Konay are to secure what will be necessary for public offices, for roads, and perhaps for railway premises, and to ensure proper drainage and other sanitary arrangements, in what is set apart for building lots, and these objects could probably be obtained without ousting any of the merchants, whose prosperity and convenience may indeed be regarded as creative of the success of the port.

“ 7. I would, therefore, suggest that, before taking any further steps in the matter of the projected town at Konay, you should endeavour to arrange a meeting at Beitkul, with the gentlemen whom the Manchester Company, and Messrs. Nicol & Co. and Brice & Co., may wish to represent their opinions, and that Lieutenant Colonel Kennedy should be duly consulted on the subject.”

6. In reporting my proceedings so far, I beg that you will kindly obtain, as soon as possible, any further orders which Government may deem it necessary to issue on the subject of the proposed appropriation of land for the purpose of a town at Konay, and as to any precautions which they may desire to adopt, to prevent mere speculators in land from being able hereafter to cause inconvenience to the public.

LETTER from Mr. W. A. Goldfinch, Acting Collector of North Canara, to Mr. W. Hart, Revenue Commissioner, S. D., dated 23d September 1862, No. 999.

No. 1525, dated
18 September 1862.

WITH reference to your letter, No. 1988, dated 15th August 1862, I beg to forward copy of letter from Captain Baker, and accompanying plan of the proposed new town at Konay.

2. The plan appears to me to be a good one, and I recommend its adoption.

3. I have not yet been able to obtain detailed particulars of the land included in its limits. So soon as I receive them, I will serve notices on the owners, under Act VI. of 1857, and prepare a general one for insertion in the Government Gazette.

4. With reference to that part of your letter under reply, in which you state that Government will not decide where the head quarters of North Canara shall be established until I furnish a report after 12 months' experience of the country, I have the honour to state that I am perfectly prepared to report on this point, and that nothing can be gained by delay in settling it.

5. I think Government should consider that officers employed in this district are unable to arrange for suitable accommodation for themselves and families so long as the situation of the future station is kept in uncertainty. At Sircy every house (there are only three, and two of them barely habitable) is occupied. The same is the case at Honore, where,
I believe,

I believe, Mr. Wedderburn is obliged to hold office in the traveller's bungalow, while at Beitkul there is no shelter at all.

6. People will not build, or indeed spend money in serious repair of existing houses, so long as they are uncertain how long they may expect to find tenants; and as houses, especially in North Canara, are not built in a month or two, the result of putting off a decision for a year will be that the station, wherever it may be, will not be habitable for two or three years from the present time.

LETTER from Captain *W. A. Baker*, Executive Engineer, North Canara, to the Collector of North Canara, dated 18th September 1862, No. 1525.

I HAVE the honour to forward a rough plan for the proposed town at Konay. The details may be altered slightly when the crops are off the ground, and a more detailed survey can be made. The Kyga road, which should have a surface width of 40 feet, divides the town in half; the main roads should be 24 feet wide, and the streets 18 feet; the blocks of houses 100 feet wide; one block to be appropriated for police lines. The green colour along the main roads represents avenues of "Kaju" trees. There are some clumps of trees which will be left standing. I have only shown a few houses, as most of the European residents will probably build on the hill sides.

I have consulted Mr. Maxwell regarding the best site for a cotton green, and have placed it in front of the town on the ground now occupied by Messrs. Nicol & Co. and Messrs. Brice & Co., as, in his opinion, that was "decidedly the best site."

LETTER from Mr. *H. Maxwell*, Agent of Messrs. *W. Nicol & Co.*, to Mr. *W. A. Goldfinch*, Collector of North Canara, dated 16th September 1862.

WHEN you informed me last month at Sircy that Konay had been chosen as the site of the new town of Beitkul, you stated that the land I have leased from Babboo Habboo would not be interfered with. I have, therefore, been much surprised to learn from Captain Baker (not officially) that it is the intention of Government to resume all land, and, after laying out the roads, streets, &c., to allow of any one purchasing at auction the sites they may find it desirable to compete for. I have also been informed by Captain Baker that Colonel Kennedy expresses his surprise that Konay should have been fixed on as the site of the new town without his knowledge; and as plans have yet to be made and laid before the Government for approval, it is perfectly impossible that any arrangements for the sale or disposal of land can be completed within the next two months.

The cotton pressing machinery for Messrs. *W. Nicol & Co.* is now on the way, and will probably arrive at Beitkul in November; and as it is absolutely necessary to have the foundations of the press building and godowns for the reception of valuable stores completed, and some progress made with the buildings by the time the machinery is to hand, I earnestly solicit you will reconsider the proposal to resume this portion of Babboo Habboo's land, and leave me what I have now leased, with the exception of that required for public roads.

As you are probably aware, I waited the convenience of the Government of India for the purpose of obtaining land from October 1859 till January last, and then, by the advice of Mr. Fisher, collector of North Canara, I leased the land now held by me from a private proprietor, the rent of which has been paid to Government by the present proprietor and his father for the last 30 years. It is, therefore, hard on me, after making all my arrangements for the erection of buildings, supply of stone, lime, timber, labour, &c., to be so unceremoniously turned out without any immediate prospect of obtaining land anywhere for the erection of my machinery.

I have little doubt you will see the justice of my claims, and trust to learn from you that my land at Konay will not be interfered with beyond the Public Works Departments requirements for roads.

Should you have received instructions for the resumption of this land from the Bombay Government from which you cannot deviate, I have the honour to request you will forward my letter to the Secretary to Government, and, as the case is of very great importance to myself, I beg to solicit you will forward it with your favourable recommendation.

LETTER from Mr. *W. A. Goldfinch*, Acting Collector of North Canara, to Mr. *H. Maxwell*, Agent of Messrs. *W. Nicol & Co.*, dated 19th September 1862, No. 983.

IN reply to your letter, dated 16th instant, I have the honour to inform you that you must have misapprehended anything I may have said to you in private conversation regarding the land you hold at Konay. I am of opinion that it will be necessary to take the whole of it for the purposes of the new town, and the objections you urge to the measure may, with equal reason, be brought forward by Messrs. Brice & Co., and every other person whose land will be included in the limits of the town.

2. As soon as I receive the plan from Captain Baker showing the land it is proposed to take, notices under Act VI. of 1857 will be served to all the land-owners concerned.

3. Until Captain Baker furnishes the plan, I am unable to state positively how much of the land you hold will be required, and therefore it would be premature to address Government on the subject at present.

LETTER from Mr. *H. Maxwell*, Agent of Messrs. *W. Nicol & Co.*, to Mr. *W. Goldfinch*, Collector of North Canara, dated 23d September 1862.

I HAVE the honour to acknowledge receipt of your letter, No. 983, of 19th instant, and regret you consider the conversation I had with you at Sircy was private. I called at your office for the express purpose of ascertaining the intentions of Government regarding land arrangements at Beikul, not only on my own account, but for the information of several Bombay cotton merchants who are anxious to obtain land there, and considered I was at liberty to make use of a conversation entirely relating to business. I now beg to apologise for having officially referred to it.

No other landholder can, with reasons equal to those I urge, object to the resumption of their land by Government. I am not aware of any one of them having made preparations for buildings of any kind; whereas I have expensive machinery and stores now on the way from England, a large quantity of stone cut and ready to be laid down at Konay, lime contracted for at Mangalore, and timber (of which I cannot get an adequate supply here) ordered from Cochin, besides having arranged for a supply of labour for immediately proceeding with the press building, office and godown, at Konav. I consider, therefore, that it would be great injustice to deprive me of a site on which to erect the necessary buildings, without any immediate prospect of the plan of the new town being so matured as will enable Government to dispose of the land by auction, and that you are placing me at very great disadvantage with the Manchester Cotton Company, who were also guided by the advice of Mr. Fisher, the Collector of North Canara, previous to the transfer, and through the personal exertions of another Government servant secured land from private proprietors.

I now formally protest against Government resuming the land at Konay leased by me from Babboo Habbu, further than what is actually required for roads, and should I be obliged to defer all building operations, in consequence of my land being resumed, shall hold the Government responsible for any loss I may sustain in the event of cotton arriving in quantity, or damage that my machinery and stores on their arrival may sustain through being stored in temporary buildings during the monsoon, besides adequate compensation for land better adapted for my purposes than any other site round Beikul Bay.

I have the honour to request you will lay this letter, and mine of 16th instant on the same subject, before Government.

MEMORANDUM from Mr. *W. A. Goldfinch*, Acting Collector of North Canara, to the Revenue Commissioner, S. D., dated 26th September 1862, No. 1008.

FORWARDED to the Revenue Commissioner, S. D., with the letter of the 16th September 1862 alluded to, and a copy of Collector's reply thereto.

RESOLUTION.—The instructions given by the Revenue Commissioner, S. D., as reported in his letter No. 2525, of the 9th instant, may be entirely approved.

2. It is clearly, as pointed out by the collector and executive engineer, of the greatest importance to determine, as speedily as possible, where the capital of the district is to be; and Government do not know that there is any additional information, or advantage of any kind, to be gained by delaying the decision on this point.

3. The

3. The choice lies between Sedashegar and some other spot either above or below the ghauts. Now, it is clear from what is on record that, apart from all commercial considerations, no spot below the ghauts can fail to be most distasteful to all the native inhabitants of the district who live above the ghauts, and *vice versâ*, the best possible spot above the ghauts will be very distasteful to all the natives living below the ghauts.

4. It seems, therefore, that Government are driven to choose on purely commercial grounds, and on such grounds there can be no doubt that some spot in the bay of Sedashegar must be selected. Whatever the merits of the harbour, there can be no doubt that it is the best and most improvable in the district; all our roads are to tend to it; all commerce and communication must gravitate to it, and it will be, whether otherwise convenient or inconvenient, very surely the centre of all private business, and consequently the natural capital of the province.

5. Any inconvenience which may arise from the remoteness of Sedashegar from particular districts, can be easily and surely remedied by establishing local courts and local officers, with extended powers in such districts, so as not to compel the people unnecessarily to resort to a distant station for the settlement of their every day transactions in which Government is a party.

6. There can be equally little doubt that Konay and its neighbourhood is the best spot in the bay for the new capital of the district.

7. The first thing to do is to provide for the management of the town which will soon grow up there.

8. For some time to come it will require more exclusive and constant attention than the collector and magistrate can devote to it, without prejudice to his other duties. The Governor in Council, therefore, proposes to appoint Dr. Forbes, as superintendent of Sedashegar, to be the local deputy of the collector and magistrate in all departments at and near the port.

9. Dr. Forbes will require the aid of a municipal body in all his plans for the new town, but the collector should point out, to all parties concerned, that the law requires the initiative in the creation of a municipality to be taken by them, and not by Government.

10. In the meanwhile, till the necessary steps can be taken, he should request those officers and gentlemen who are chiefly concerned, to afford him their aid and assistance, and appoint them a provisional committee; their opinion he should submit to Government with his own, or that of the superintendent, on all points connected with the laying out, or municipal administration of the new town and suburbs, whether at Konay, Beikul, or any other place in the vicinity.

11. The provisional committee may be thus constituted:—

- | | |
|--|-----------------------|
| 1. The collector and magistrate to be chairman, with a casting vote, | } <i>ex-officio</i> . |
| 2. The superintendent, to be chairman in the collector's absence, | |
| 3. The executive engineer, | |
| 4. The superintending engineer, | |

12. Two leading members of the non-official European community, and two of the native community, to be selected by the collector and magistrate for their intelligence, influence, and stake in the place, to hold office for a year, or till a municipality is created, and to be eligible for re-appointment.

13. A surveyor should be appointed under the executive engineer; his services will be at the exclusive disposal of the superintendent for duty at and near the new town, and his duties will hereafter merge in those of surveyor to the municipality.

14. As regards Captain Baker's plan for laying out the town, the Governor in Council observes that it gives a contracted sea frontage, and extends unnecessarily inland, contrary to the usual and inevitable natural tendency of sea-side towns to extend along the sea shore. It also, his Excellency in Council considers, interferes unnecessarily with private property, taking from Messrs. Nicol & Co. and Brice & Co. large portions of land which they destine for cotton stowage, in order to make it public ground for the same purpose.

15. The first points to be settled, and which the provisional committee should decide, are:—

I. The main roads and approaches, the direction and breadth of which should be laid down.—A road from Beikul, one from Kyga Ghaut, and one along shore, are obvious suggestions, but there may be others which the committee will be best able to decide upon.

II. Cross-roads.—In laying out these, a standard width should be fixed, and the direction of the prevailing winds and other sanitary considerations must be borne in mind.

III. The best position for a railway terminus, and the best line of approach for a railway.—A moderate sea or creek frontage for the terminus will be sufficient, but land must be secured so as to allow of extensions hereafter inland for workshops, warehouses, &c., to as great an extent as any railway in the Presidency.

IV. Suitable sites for public offices as per margin, and for any other that may be considered necessary, should be provided.—Many of these offices will be at Beikul, some between that and Konay, and probably a few at Konay itself. But the sites of all should be settled at once, and land reserved for them either on the sites selected by Colonel Turner and Mr. Hope, or on any other sites which may be considered preferable. Land must also be reserved for residences for the public officials, on sites as near as may be to their offices.

1. Cutcherry and Treasury.
2. Adawlut, European and Native.
3. Gaol and Police Lines.
4. Hospital.
5. Barracks.
6. Church.
7. Engineer's and Forest Conservator's Offices.
8. Post Office.
9. Telegraph.
10. Custom House and Port Officer's quarters.
11. Traveller's Bungalow.

16. No present advantage is to be derived, and much future inconvenience must result from crowding; ample room should, therefore, in every case be taken. It must at the same time be borne in mind that the objects of laying out the town are mainly commercial, and that no valuable commercial advantages, such as frontage to the sea, a creek or main road, should be appropriated to public offices, further than is needed for public convenience, which, of course, to some extent includes the convenience of public officers, for whose accommodation office room is needed.

17. All these points having been considered, the collector and superintendent should take the requisite steps to secure the land, and have it properly marked off, mapped and reserved.

18. The provisional committee should consider and state their opinion as to the order in which the public works, including the offices above specified, should be undertaken. In this they will probably be mainly guided by the opinions of the collector and executive engineer. But the opinions of the provisional committee as to what offices, and what lines of roads, streets, &c., are most wanted by the public, will be valuable.

19. The particular attention of the committee should also be drawn to the subject of drainage and sewerage, water supply, and prospective conservancy and sanitary arrangements.

20. If no topographical survey has been made, one on a large scale should be at once commenced of all land within four or five miles of Konay. The scale should be as large as can be hereafter required for any municipal purpose. Registers should also be prepared showing exactly the ownership and liabilities of every portion of the land included in the survey.

21. The provisional committee should consider whether any and what rules or restrictions are necessary as to the character or materials of the buildings to be erected in any part of the town, and whether, if the general law, or Municipal Act, do not give the requisite powers, application for the purpose should be made to Government for a special legislative enactment.

22. Owners of ground to which Government has no claim, and which is not required for any of the public purposes referred to in paragraph 15, may be told that, subject to the rules or restrictions the committee may lay down, they are at liberty to build as they please on their own ground.

23. The Government land should be divided by the provisional committee into suitable lots, which should be marked off and numbered on the plan to be prepared, and the lots will, when applied for, be parted with on such terms, and after such public competition, as rules to be framed under the advice of the provisional committee may prescribe. No time should be lost in submitting these rules for sanction.

Ordered, that copies of the above be forwarded to the Revenue Commissioner, S. D., and the Public Works, Judicial, and General Departments of the Secretariat.

Acting Chief Secretary to Government.

— No. 31. —

PUBLIC WORKS DESPATCH from *Bombay*, dated 24 November (No. 15) 1862.

HEREWITH we do ourselves the honour to transmit, for your information, a copy of our proceedings described in the margin, having reference to the public works which are to be undertaken in North Canara during the ensuing working season.

2. Considering the urgent demands made on this country for cotton, and the instructions contained in your Despatch No. 13, dated 31st July 1862, we have authorised the superintending and executive engineers to spend whatever money they can economically, fairly, and honestly spend on such works as will facilitate the transport of this year's cotton crop to the sea-port.

3. We have reported our proceedings to the Government of India, and trust you will approve of our proceedings in this case.

4. We will continue to furnish you with regular progress reports of these works, as well as with traffic statements of the produce brought by these roads, which we are confident will far exceed that of any former year.

5. The sum which we had proposed to spend on these works this season will probably be exceeded, but we do not at present anticipate that there will be an excess in our total budget allotment.

6. Whatever is spent will be spent with economy, and will, we are confident, have a sensible effect on the amount of cotton exported this year from those districts.

We have, &c.
(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Bombay Castle, 24 November 1862.

Enclosures in No. 31.

No. 5935 of 1862.—Public Works Department.

COPY of the Resolution passed by Government on a Memorandum from the Chief Engineer at the Presidency, No. 137, dated 15th September 1862, forwarding a communication from the Superintending Engineer, Southern Circle, handing up one from the Executive Engineer, North Canara, treating of his prospect of the coming working season, and requesting to be informed what funds are at disposal for expenditure then, and stating that in the absence of plans and estimates he is unable to recommend the large expenditure which Captain Baker contemplates.

1. It is greatly to be regretted that Government have not plans and estimates of all these works, and every exertion must be made to prepare them at once, by placing at Colonel Kennedy's disposal any amount of additional aid he may require, in the shape of trained surveyors, draftsmen, and calculators, and every other means and appliance which can be needed to enable him to submit such plans and estimates as are necessary, to guard against loss of money and confusion in the execution of the works.

2. His Excellency the Commander in Chief has repeatedly pointed out the great resources of the engineer corps, both in officers and men of the sappers. Government are assured of his Excellency's most cordial assistance in making those resources available to the last man. Nothing has apparently yet been done to draw forth the aid which Government may expect from this valuable reserve.

3. When the engineer corps is exhausted, there will still be a large body of officers of the line, which his Excellency has placed at the disposal of Government. Some of these officers are accomplished surveyors and draftsmen, fully competent to aid in the preparation of plans and estimates, either as principals or assistants, and all are more or less able to give valuable aid in superintending large bodies of labourers, and in seeing that they work properly and are duly paid. The superintending and chief engineers have only to ask for such officers, and they shall have them.

4. When the army is exhausted, there is a large body of civil engineers available; some in the employment of Government, and others willing to undertake it.

5. All these resources are more than sufficient to complete, in a few weeks, such plans and estimates as are needed to prevent waste of money or time in the execution of those works in North Canara which are necessary to give immediate facilities for exporting the cotton crop of the Southern Mahratta country.

6. The chief engineer and Colonel Kennedy should be assured of the anxious desire of Government to give them every possible support and assistance in this matter if they will only call for what they want; the confident expectation of Government should be expressed to them that the required plans and estimates of the works to be undertaken will be prepared at once.

7. They should further bear in mind and impress on their subordinates that what is required this year is simply such plans and estimates as shall prevent waste of money and confusion in the execution of the works specified by Captain Baker, or, of any others which may have been sanctioned to facilitate the exportation of the cotton crops, and that no more than this is required.

8. There is, no doubt, much truth in what is pointed out by the secretary, that there is no certainty that the lines of road which Captain Baker proposes to undertake are the best which can be laid out; indeed, it might be almost taken for granted that improvements of these lines would be discovered whenever a very careful and thorough survey of the whole country can be made, and some of the lines now proposed might no doubt ultimately be entirely superseded by better lines.

9. But this is not the present question. In order to ascertain beyond a doubt the very best line procurable, an examination would be required which would extend not over one season, but over two, or possibly more, and the delay of even one season is more than the urgency of the present case will admit.

10. A cotton crop far larger and more valuable than any which has ever yet been grown in the Southern Mahratta country is now growing, and will be ready for exportation before the end of the season. The money value of this crop to India is very great, but its value to England cannot be told in money, and every additional thousand bales which we can get down to the sea coast before the season closes in June may not only save scores of weavers from starvation or crime, but may play no unimportant part in ensuring peace and prosperity to the manufacturing districts of more than one country in Europe.

11. These are not considerations to be weighed against improved gradients, or even a few miles more or less of road to be made. Government know that, by the lines on which Captain Baker proposes to work, cotton carts can travel and have travelled, and that by the work which he proposes to do, these roads can be greatly improved, secured, and made still more easy for cart traffic. The utmost which he can fairly spend upon them during this season will be repaid and more than repaid by the results of this very season, without looking to future years.

12. The chief engineer is therefore directed to inform Colonel Kennedy and Captain Baker, that all the plans of the latter officer are fully approved, with this sole reservation that for every rupee laid out, the cotton traffic shall have a fair rupee's worth of increased facilities, and that Government are prepared to obtain sanction to any sum which they may find they are able fairly and honestly to spend with this object in view.

13. It is not only in preparing plans and estimates that Captain Baker will want assistance. He will require it in looking after the execution of the works, and in keeping the accounts, and he should be informed that in both respects Government are willing to give him all the aid he can require. Colonel Kennedy, it is believed, has paid particular attention to such means of increasing the working powers of executive officers, and Government will be glad to be favoured with his views in the shape of practical suggestions.

14. Among the subsidiary arrangements which may contribute to the end Government have in view, the following should be noted.

15. As early as possible in the season, after carts begin to travel down the Kyga and the Arbyle Ghauts, which will, it is hoped, have been so far repaired as to be rendered practicable and fit for immediate use, Captain Baker should employ competent persons to move continually from point to point along these roads, and to take care that the more permanent improvements which may be in progress are not so conducted as entirely to stop the present use of the road. For example, where a bridge is being built a temporary diversion should be made, and the sides of the nullas smoothed down, &c., &c., so as to furnish a passage as practicable as possible past the obstacle.

16. It should be made the special duty of the person thus employed to devise and see executed every possible facility for the present traffic which may not come within the scope or the permanent improvement of the road.

17. Much, it is believed, may be done at the ferries, at some of which, and between Mullapoor and Beitkul, small steamers might be useful in towing the boats in which cotton or carts have been loaded. Colonel Kennedy's attention might be drawn to the point by telegraph, and descriptions sent him of the small tug and other steamers, of which there are some procurable, and to spare, in Sind. No time should be lost in this, as the next
two

two months are the only favourable season for such small vessels coming down by sea. In a tideway their deficiency of power would not be such a bar to their utility as on a stream like the Indus.

18. No doubt every effort will be made to facilitate the passage of rivers and swamps by means of timber bridges, such as have been erected with such good effect by Captains Baker, Playfair, and others, in parts of the Southern Mahratta country where timber abounds. They have the great advantages of requiring a material and kind of labour to erect them different from that used for smaller bridges and very abundant, and this, joined to the speed with which they can be erected, will for our present purpose more than compensate for their comparative want of durability.

19. Captain Baker should select points at which to take an accurate account of the traffic in carts and laden cattle passing along each of the principal lines to the sea coast. These should be embodied in one return, and sent in monthly for publication, as in the case of the railway traffic. Cotton should be distinguished from other goods.

20. Similar returns should be kept on every great line of road. Captain Baker's and Colonel Kennedy's letters should be sent to the Government of India and Her Majesty's Secretary of State, with a special report of our proceedings on them, and on all connected with North Canara and Sedasegar, and similar reports should be continued monthly during the present scarcity of cotton. Copies of the returns of cotton traffic above ordered should always be enclosed, and any information relating to our proceedings to facilitate the transport of cotton in other districts should be either quoted or distinctly referred to, so as to enable the Secretary of State to see distinctly at one view all that has been reported on the subject since the date of last advices.

21. The Secretary of State and Governor General in Council should be informed that the sum for North Canara this season will probably be greatly exceeded; that every precaution has been taken to ensure economy, and a judicious application of the money spent; that it may be some time before this Government are able to specify the precise sums that will be laid out with good effect; that it by no means follows that our total budget allotment will be exceeded, but that they may rest assured the money will be well applied to facilitate the cotton export, and Government have every hope of its producing a marked effect on the quantity exported.

(signed) *H. Rivers,*
Lieutenant Colonel, R. E.,
Secretary to Government.

Bombay Castle,
6 November 1862.

Ordered, that copies of the above be communicated to the under-mentioned officers and to the Chamber of Commerce.

Chief Engineer at the Presidency.
Superintending Engineer, S. C.
Executive Engineers, Dharwar and North Canara.
Revenue Commissioner, S. D.
Collector of North Canara.
Dr. Forbes.

No. 6127 of 1862.—Public Works Department.

From the Secretary to the Government of *Bombay* to the Secretary to the Government of *India*.

Sir,

I AM directed to submit copies of letters received from Colonel Kennedy, superintending engineer, Southern Circle, and Captain Baker, executive engineer, North Canara, and of the Minute passed thereon.

2. The Government of India will perceive that the urgency of the case did not here permit of the course we should have been glad to have adopted, viz., that the whole country should be accurately examined, the best possible line discovered, and regular plans and estimates elaborated, before the work was commenced; but the works ordered are those which have been long since approved and sanctioned by both the Madras and Bombay Governments, and in most cases partially executed; and where any deviation has been allowed from the lines selected, or the works designed by the Madras officers, it has been in accordance with the views of Colonel H. B. Turner, approved by the Government of Bombay, after his visits to the province in the early part of this year.

3. The reasons which induced the course adopted by this Government are fully stated in the Minute, and I am to express the hope of this Government that the Government of India will consider those reasons sufficient, and confirm the proceedings now reported.

4. The sum which this Government had proposed to spend in North Canara this season will probably be exceeded, but care will be taken that there is the strictest economy, and a judicious application of all that is spent.

5. Detailed estimates have been called for, and will be submitted to the Government of India as soon as possible.

6. Judging by the expenditure in the past half of the official year, it is not at all certain that the total budget allotment will be exceeded, and the Government of India may rest assured that the money here spent will produce a sensible effect in the quantity of cotton exported home.

I have, &c.
(signed) *H. Rivers*, Lieut. Col.,
Secretary to Government.

Bombay Castle,
24 November 1862.

— No. 32. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of
Bombay, dated 9 February (No. 2) 1863.

Para. 1. I HAVE received and considered in Council your Despatch, No. 15, of 24th November last, with the enclosed report of your proceedings with respect to the public works to be undertaken in North Canara during the ensuing season.

2. I fully appreciate the anxiety evinced by your Excellency to provide for the conveyance to the sea of the unusually large and valuable cotton crop which it is expected will be shortly ready for exportation in the Southern Mahratta country. I shall look with interest for the promised progress reports on the works under construction, and the traffic statements of the cotton and other produce brought down by the new roads.

(signed) *C. Wood*.

— No. 33. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of
Bombay, dated 13 November (No. 19) 1862.

Para. 1. I HAVE lately had an interview with a deputation of several gentlemen of the Cotton Supply Association, who are interested in the establishment of the port of Sedashegar, and the improvement of the means of communication to the port from the interior, and who have laid the foundation of an establishment at that place for pressing and packing cotton. These gentlemen complain that the expectations which were held out to them have not been fulfilled. They state that they have suffered considerable pecuniary loss, by reason of works not being completed by the time at which they had been led to expect that they would be available for conveying cotton to the site of their presses, and for landing and embarking goods; and further, that, in order to avoid great inconvenience and additional loss, they have been obliged themselves to construct a pier, which was one of the works Government had undertaken to make.

2. They state, that having sent presses out to Sedashegar, at great expense, they could not for some time land them for want of a pier; that, being ultimately landed on the north-west of the cove, on the opposite side to that on which I understand the pier was to have been built, and near to the spot where the wharves have now been commenced, they were unable to convey them to their establishment; and that they have been lying where landed for months, with no early prospect of their removal.

3. I am desirous of being informed, not only of the actual state of all the works, and of the probable date of their completion, but also, so far as I have not yet been advised, of the circumstances by which their construction has been delayed.

4. As some of the proceedings on these subjects took place before the transfer of North Canara to your Government, it may be convenient that I should recapitulate all the correspondence that has passed, in order that the case may be
fully

fully before you ; firstly, with regard to the means of landing and embarking goods ; and, secondly, with respect to the construction of roads.

5. The construction of a pier at Sedashegar was sanctioned by the Madras Government in April 1860, at an estimated cost, exclusive of contingencies, of 21,500 rupees, and an entry of this amount was made in the budget for 1861-62. Pier at Sedashegar.

6. In July 1860, the Cotton Supply Association drew my special attention to this subject, and requested to be informed what progress had been made in the construction of the pier. It was stated in reply, that "orders have been issued for the construction of a landing and shipping pier in the port of Sedashegar." In April 1861, the Manchester Cotton Company brought the subject under notice, and requested to know the exact date by which the pier would be completed. They were informed that, in a letter from the Madras Government of 16th May 1860, it was stated that the pier "would be ready in time for the road down the Kygah Ghât, leading direct to the harbour." A copy of the correspondence with the company was sent to the Madras Government, with a Despatch containing the following observations: "You will perceive how important it is that the landing and shipping pier at Sedashegar, therein referred to, should be completed at an early period ; I trust, therefore, that your arrangements for its construction during the current year have not been interrupted in consequence of the proposed severance from the Madras Presidency of the district of North Canara. Whatever may be decided in this latter respect, it is most desirable that the progress of the pier should not be suspended. Your officers should be instructed to carry out the work as originally intended. The expense incurred, can, if necessary, be debited hereafter to the Government of Bombay. That Government will be furnished with copies of this Despatch and its enclosure." In June 1861, the Madras Government stated, that in the previous month, when everything ought to have been in readiness, the chief engineer reported that no plan of the pier had ever been prepared, and that even the proper site had only just been agreed upon ; the site selected being apparently quite different from that which had been contemplated the previous year.

7. The Madras Government severely censured their officer for his neglect and dilatoriness, and in noticing their proceedings, I observed that "I need add little to the well-merited rebuke passed by you on the chief engineer, for the negligence and want of method observable in his official arrangements. * * * Not only had no plan been prepared, but even the question of sites had not been finally settled at a time when, according to instructions issued more than a year before, everything ought to have been in readiness for the commencement of the work."

8. Nevertheless, nothing seems to have been done as regards the pier, and in December 1861 the Madras Government informed me that they had decided to abandon that work for the present ; the President, after personally inspecting the harbour, being convinced that, on professional grounds alone, it would be inexpedient to construct it. At the same time, they stated that they had decided to construct a wall and wharves at Carwar Head, at which ships could load and unload, and which would, in fact, answer every purpose of the pier.

9. These wharves were commenced, but they were not proceeded with. In February of this year, the Manchester Cotton Company sent me a letter from their agent, in which it was stated, that "about 900 coolies are now employed upon the works at Beitkul, including the road and harbour, but a very large number are engaged upon a work which can be of no immediate use ; viz., in the construction of a road 66 feet wide round the base of Carwar Head, terminating in a wharf, which is to be 200 feet broad. This wharf will be more than one mile distant from the site of land purchased by the Manchester Cotton Company at Allaguddy, and nearly two miles from the site chosen by Messrs. Nicol and others."

"Mr. Haywood states that there is no sign of any progress in regard to the pier being made by the Madras Government, and mentions the extraordinary fact that 500 men had been discharged from the works on the 1st of January."

10. This letter was forwarded to the Government of Madras, who remarked, in reply, as follows:—

“From the first you will observe that our President disapproved originally of the proposed expensive breakwater, and the district engineer was, therefore, desired to frame plans and estimates for a pier; but, after a personal inspection of the locality, and conversation with Captain Fraser, I.N., who had been living in the bay during the whole of the monsoon, Sir William Denison was convinced that on professional grounds alone the construction of a pier from the east side of the cove, in water already shallow, and constantly getting shallower, would be inexpedient, and that it would be preferable to adopt the readier and cheaper plan of constructing a wharf along the deep-water line of Carwar Head. You will observe that this change was perfectly well-known to Mr. Haywood; it had been discussed in his presence, while his coadjutor, Dr. Forbes, stated at the time, that he had never understood that a pier from the east shore had been contemplated.

“Consequently, if Mr. Haywood has purchased land, and commenced building on the east side of the harbour, with the idea that a pier was to be built there, he has no one to blame but himself; for even had he not been aware that such a work was never intended, a single question put to the district engineer, Colonel Walker, would have put him in possession of all the facts necessary to guide him in his decision.

“Those points in Mr. Haywood’s letter which seem to call for explanation from the district engineer, are replied to in Colonel Walker’s letter of 14th May last. As respects the removal of 500 labourers from Beitkul, which is the chief ground of complaint, Colonel Walker states, in para. 3 (1.), that owing to these men not having been trained to blasting operations, they could not be economically employed there; and (2.), that they were more wanted on the Kaiga Ghât.

“To attract them thither, higher wages were offered, an arrangement which would have been attended with a successful result, had not the transfer to Bombay meanwhile taken place, whereby hopes, afterwards fulfilled, were held out, of unlimited employment at Beitkul itself, much to the prejudice of the works on the ghât.”

11. I am not disposed to question the opinion of Sir William Denison, that the substitution of wharves for a pier was expedient. Considering, however, how essential it now is that means of landing should be provided, I am of opinion that no further time should be lost in prosecuting their construction with the utmost vigour; and I desire to be informed fully of what has been done in this respect since January last; also what progress is now making, and when the wharves may be expected to be completed.

Roads from Seda-
shegar to Dhar-
war.

12. As regards the roads, Lord Stanley, in writing to the Madras Government in October 1858, observed, “No time should be lost in constructing one or both of the roads for which practicable lines have been traced over the Sengawarree and Kygah Ghâts.” Nothing however was actually done in the matter till May 1860, when the Madras Government reported that they had sanctioned 10,000 rupees for the immediate opening of a trace on the Kygah Ghât. At first it was suggested that it might have been preferable to have carried the line through the Barbal, instead of the Kygah Ghât; but, on a further explanation, I offered no objection to the latter route, and desired that “no time be lost in completing the road.” In April 1861, the Madras Government reported the progress that had been made, and promised that “no exertion should be spared to have the road completed throughout as early as possible, but this,” they added, “cannot be this year.” The substance of this letter was communicated to the Cotton Supply Association. In my reply to the Government, I expressed regret that no hope was entertained of finishing the road in 1861; adding, “its completion is, however, an object of so much importance to the cotton trade of this country, that I trust every exertion will be made to effect it at the earliest possible period. It is very desirable, too, that I should be enabled to intimate to the Manchester Cotton Supply Association, as long beforehand as possible, when that period will be, so that whenever the road shall have become fit for the conveyance of cotton from Dharwar to Sedashegar, corresponding arrangements may have been made for its shipment at that port for England.”

13. In December 1861 the Madras Government reported that the district engineer "expects, by April next, to have a good 12 feet road open all the way to Sedashegar."

14. By the transfer of the district of North Canara to your Government, the superintendence of the road was placed in the hands of the Bombay officers. Since then several reports have been received regarding its progress. In May of this year you stated that, in the previous month the Kygah Ghât, up which loaded carts had passed, had been completed to a width of 12 feet, but explained that, until the road was widened out to 27 feet, and cross drainage and a proper surface provided, and the roads leading to the ghât from Iddagoonjee, and from it to Beitkul, have been similarly completed, the Dharwar produce would not be enabled to reach the coast. It was possible that some time might elapse before all this was done, and it had therefore been determined to open for coast traffic, between Dharwar and Beitkul, an alternative line *viâ* the Arbyle Ghât and coast road, which was expected to be opened for traffic by 15th April last. It was added that the road was opened for traffic to the village of Konay (within half-a-mile of Beitkul) on 14th April, and that the reason it was finished no further was, that it there came upon a rocky spur, which had to be cut through.

15. There was therefore no road at all from the bottom of the Kygah Ghât to Konay, or from thence to the site of the establishment of the Cotton Supply Association at Allaguddi, and onwards to the Beitkul Cove and the half-completed wharves on Carwar Head; there were consequently no means of embarking the cotton which might have come either by the Arbyle road or by the Kygah Ghât.

16. Under such circumstances, I am not surprised that the Cotton Supply Association should have complained. They were, I think, precipitate in sending out their presses before ascertaining that there were means of landing; but the loss and disappointment are great, and I am very sorry that this should have occurred in the case of a company which has exerted itself to do what is so essential to the development of cotton production in India.

17. From the Despatches quoted in former paragraphs, you will observe that I have repeatedly given my most earnest injunctions that no time should be lost in making the port of Sedashegar available, and in improving the means of communication to it. You report that the officer in charge of the road is well supplied with assistance and money, and I must, most earnestly, urge upon you the necessity of every exertion being made to provide, before the ensuing spring, roads down to Konay, and from thence to Beitkul and to the landing-places, as well as to render the wharves available for embarking and disembarking goods.

18. I request also that you will call for a report from the engineer on the spot, as to what description of pier or landing-place the agents of the Cotton Supply Association have constructed, and where it is situated.

19. It is very desirable that a plan of the harbour, and still more of the cove, Carwar Head, and the projected road and works, showing their present state, should be sent to me without loss of time.

20. Mr. Haywood seems to have complained of want of communicativeness on the part of the officers of Government, and his letter to this effect, addressed to the Manchester Cotton Company, was forwarded with my Despatch to the Government of Madras, dated 7th March last. From the reply I received, it would certainly seem, according to the account of the local engineer officer, that Mr. Haywood never asked a question, or appeared disposed to be communicative. It is most desirable that the officers of the Government and of the company should work heartily together towards the attainment of the great public object which both have in view, and no exhortations of yours will, I am assured, be wanting which may appear requisite to procure for the company the ready co-operation of your own servants.

(signed) C. Wood.

— No. 34. —

PUBLIC WORKS DESPATCH from *Bombay*, dated 13 January (No. 2) 1863.

WE do ourselves the honour to reply to your Despatch, No. 19, of November 13th, referring to us for inquiry, and report various complaints made to you by a deputation of the Manchester Cotton Supply Association, who are interested in the progress of the works at Bejtikul and Sedashegar, and in the improvement of the roads leading thereto.

2. We would, in the first place, beg to point out that Mr. Haywood, to whose statements reference is made in your Despatch, came out to India, as we are informed, in a twofold capacity, and as the representative of two distinct bodies.

3. He had been Secretary to the Manchester Cotton Supply Association, which, as you are aware, had for its object the collection and dissemination of information on the subject of obtaining for England larger and better supplies of cotton. This association has expended much time, attention, and money in procuring and distributing new varieties of seed, and information relative to new and improved modes of separating the cotton from its seed, of pressing and of preparing the cotton for market, and of otherwise improving and cheapening the supply of raw cotton.

4. Its labours have been, we believe, entirely gratuitous for the benefit of the cotton trade generally, and without any view to direct pecuniary profit.

5. As far as we have the means of judging, the labours of the association have been generally judicious, and often productive of valuable results, and they certainly are of a character to entitle any representation the association may make to the most prompt and careful attention.

6. Mr. Haywood, we believe, was also agent to the Manchester Cotton Company, which was understood to be perfectly distinct from the Cotton Supply Association. Its immediate objects were to buy, clean, pack, and ship cotton, as a purely mercantile speculation, combining in one company the functions which have been hitherto performed in the cotton trade of Western India by several distinct and independent parties.

7. If successful, the operations of such a company would no doubt be useful to the cotton trade; and we believe that such results of general utility to the whole of the cotton trade and cotton manufacture were among the ultimate objects which the projectors of the company had in view.

8. But we deem it essential that the different characters and objects of the two bodies with which Mr. Haywood is understood to be connected should be borne in mind, and that it is of importance to distinguish between any representations which are supported by the Cotton Supply Association, and any complaints which may be made by the Manchester Cotton Company, as to the causes of any want of success in their operations, since, whatever similarity there may be between the objects of the two bodies, the means they take to attain those objects are essentially distinct.

9. The objects of the Cotton Supply Association and the means which that body takes to carry them out, are patent to all the world. Of the operations of the Manchester Cotton Company, on the other hand, we have no means of knowing, nor any right to inquire, more than of any operations of any other private company engaged in the cotton trade. The same causes which affect the operations of other parties engaged in the same speculations will affect theirs, and if their agents attribute any want of success to any act or default of the local Government, or of the Government authorities, it is, we submit, incumbent on those agents to show that they have sought redress on the spot, and from the local Government, and have failed to obtain it.

10. So far, however, from this being the case, we cannot find that Mr. Haywood, or the agents of the company whom he left behind him, have made any complaint

complaint of the kind described in your Despatch; and we can find nothing on the records of Government here in the shape of a complaint made by the agents of the company against the local authorities of a character similar to those laid before you in London.

11. We would now notice in detail the several specific points enumerated in your Despatch.

12. The proceedings lately forwarded to you with our letters on the subject of North Canara and Sedashegar will have furnished much of the information you require, and we trust that the further proceedings enclosed in this letter will enable you to reply satisfactorily to all the complaints which you have received. Among them will be found a minute by our colleague, Mr. Inverarity, whom we requested to visit the port, and to favour us with the result of his personal observation on the present state and prospects of the works undertaken by Government. To this, and to the letters of Lieut. Colonel Kennedy the superintending, and Capt. Baker the executive engineer, and of Dr. Forbes, we would beg especial attention.

13. We trust these papers will be found to afford all the information required in your third para. as to the actual state of the works, the probable date of their completion, and the causes which have delayed their construction.

14. The complaints of expectations held out by Government, and not fulfilled, may be divided under the two separate heads of means of landing, and means of transit inland.

15. First, as to means of landing Piers, wharves, &c.—The state of the case up to the transfer of North Canara to Bombay last year is so fully set out in your Despatch that we need not recapitulate. It is sufficient to observe that when public attention was first called to the port it was destitute of all means of landing or shipping cargo beyond those provided by nature at every port on the western coast through which the cotton trade of Bombay has for centuries been conducted.

16. The works ordered by the Madras Government would have been a considerable improvement on these natural facilities for a coasting trade in native boats, but they fell short of what were required for landing heavy packages, and for other operations connected with a direct traffic in large sea-going vessels.

17. It was this consideration which induced the Government of Bombay, immediately on the transfer of North Canara, to direct the provision of better facilities for landing than had been contemplated by the Madras Government.

18. A large pier, the construction of which has been ordered, will provide facilities for traffic of both kinds by large sea-going vessels as well as by coasting boats. To have devoted much time or money to smaller works would have done little to improve the port as a resort for large ships, while it would have materially interfered with the progress of other and more important works.

19. It is much to be regretted that the Manchester Cotton Company should have relied on finding a pier, with the usual appliances for landing heavy machinery, when their vessel freighted with such machinery arrived off the port just before the last monsoon set in. This regret is not lessened by the assurance that ordinary care and foresight on the part of the shippers would have prevented all possibility of disappointment, and that it was mainly owing to the late period of the season at which the vessel arrived on the coast, that it was impossible, by sending her to Bombay and transhipping the heavy machinery, to get it landed by country boats before the monsoon set in.

20. But while admitting that the company had reason to expect some kind of a pier, that they found none, and have, therefore, a valid cause of complaint at their disappointments, we cannot admit that they have in consequence suffered any real loss, or that the progress of their operations has been in any way delayed in consequence of the non-existence of a pier when their vessel arrived.

21. It will be seen by the enclosures that the heavy machinery was actually landed mainly by the aid of Government officers, and that without such aid the

machinery would not have been got on shore; that since the machinery was landed it has been lying idle and useless; that the agents of the company are only now commencing the building which is to contain the machinery; and that, if any quantity of cotton were now on the spot, they are not in a condition to press it, is, as shown in the enclosures, entirely the fault of the company's own agents, and in no way attributable to the act or default of the Government or its officers.

22. With a view to obviate further ground of complaint on the score of the pier, which the company state they have been obliged to build, we propose to take it off their hands, and to reimburse the company, if they wish it, for all reasonable expenditure on the pier. It is, as will be seen from the enclosures, a very small work, inferior apparently to what other firms are erecting or propose to erect on their own premises, at their own expense and on their own account.

23. We trust we have shown that the ground of complaint afforded by the non-existence of a pier in May last does not constitute a very substantial grievance; and we hope you will approve of our reasons, as detailed in the enclosures, for deferring the erection of any large work of this kind till those who are on the spot, and are directly interested in the commerce of the port, could agree as to the best site for such a work.

24. It is clearly not one of the appliances which are primarily needed for carrying on a trade much greater than that which at present exists, but you will see from our proceedings that everything is being done to provide an iron screw pile pier at the earliest possible period, and that it will probably be ready by next year.

25. Second, as to means of transit.—With regard to roads, it will be seen that the damage done to the Kyga Ghaut by the late monsoon was much less than has been represented; that it is even now practicable for carts, and that it would certainly have been ready for the cotton crop of this season but for an unforeseen visitation of fever, against which it was impossible to provide, and which will unavoidably delay the opening of the Kyga Ghaut road.

26. But we see no reason to anticipate any such disappointment in so far improving the alternative line by the Arbyle Ghaut, as to afford means of transit for the cotton crop of the season, little, if at all inferior, to the facilities promised by the Kyga Ghaut, should the latter not be available, and that your wishes, as expressed in the 17th para. of your Despatch, will be completely fulfilled.

27. You will see from our proceedings that we have left Colonel Kennedy practically unfettered to push on the works on both lines as rapidly as the supply of labour at his command will admit; we have absolved him from the usual restrictions regarding previous sanction to plans and estimates, having complete reliance on his judgment as well as his energy; we have simply required that he should be able to show, for the sum expended at the end of the season, an adequate result in improved facilities for bringing cotton down to the coast, and we do not think that we have omitted anything which could strengthen the hands of one of the ablest and most energetic engineer officers in the service of Government.

28. We regret that he should have been deprived, at the most busy period of the working season, of the services of Captain Baker, a most promising and energetic officer, whose health has given way under his unremitting exertions to push on the works entrusted to him; but we have done our best in this and in other respects to overcome, as far as lies in our power, the obstacles to work created by an unusually unhealthy season.

29. It is, we think, clear from the enclosed reports that, by one or other, if not by both roads, there will be ample means for bringing the whole cotton crop of the season down by carts, and that there is, as far as we can at present see, no ground for the fears expressed by the Manchester Cotton Company, that their presses, which are not yet erected, will be ready before the roads requisite to supply them with cotton are open for cart traffic.

30. As regards arrangements for the future management of the port, the laying out and administration of the future town, we would refer to our Resolution in the Revenue Department, No. 2893, of the 27th October 1862. It will be seen that the resolution provides for creating a municipal machinery which will place

place it in the power of those most interested in the welfare of the town and of the port to make known their wants to an authority on the spot, which will be able to procure, if it cannot at once provide, all the facilities which will from time to time be needed for the increasing trade.

31. Finally, we would beg your attention to the fact that the agents of the Manchester Cotton Company are not the only parties who have established themselves at Sedashegar for the purpose of purchasing, pressing and shipping cotton. There are agents from more than one Bombay firm on the spot, who express themselves fairly content with what has been done, or is now doing by Government, and who when they have cause of complaint address themselves directly to us. We have not yet found any difficulty in disposing satisfactorily of all such complaints, and if the agents of the Manchester Cotton Company would adopt the same course, we feel assured it would be more satisfactory to all parties than leaving us to hear the first of their complaint through the Secretary of State.

32. This leads us to notice the complaint of Mr. Haywood as described in the last paragraph of your Despatch, as to the want of communicativeness on the part of the Government officers.

33. As far as we can learn, the want of communicativeness was all on Mr. Haywood's own side.

34. The services of Dr. Forbes, whose advice and experience were most valuable, were placed at Mr. Haywood's disposal. There was every disposition on the part of all, both officers of Government and merchants, both here and at Sedashegar, to meet him in the most cordial spirit, and do all that could be done to advance the important public objects he came out to promote. There was a general complaint of his want of communicativeness, and as far as we can learn, it is only to his own shareholders, and, through them, to you, that he has made any complaint.

35. Had any complaint reached us, we need hardly say that it would have been promptly attended to.

36. We have addressed the principal mercantile firms here who have establishments at Sedashegar, to ascertain what further measures beyond those ordered and in progress they would suggest for facilitating the export of cotton this season from Sedashegar, and you may confidently rely on our anxiety to give effect to any suggestions of a practical character which we may receive.

We have, &c.

(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Bombay Castle,
13 January 1863.

Enclosures in No. 34.

MINUTE by the Honourable *J. D. Inverarity.*

1. HAVING proceeded to Sedashegar, I record the result of my observations and personal inquiries made on the spot.

2. When it was determined to form a shipping port in the Bay of Sedashegar, it became necessary to connect the selected port at Beitkool with the producing districts of the interior by means of roads. Under orders of the Madras Government the Kyga Ghaut line was undertaken; but the high level system of their officers, which, by hugging the hill side, involved increased distances and undulations, instead of level roads, was, when the work was handed over to the officers of this Government, abandoned, and the construction of a considerably shorter, more level, and in every respect better line was ordered. It was anticipated that the Kyga Ghaut road would take some time in construction, an alternative line was therefore adopted by the Arbyle Ghaut to near Ankola, and thence along the coast to Beitkool; but as this coast line was not made, the Hyder Ghaut road was adopted as a second and temporary alternative. It will thus be seen that when, in February 1862, our engineers took charge of the executive duties in North Canara, every thing had to be done in regard to connecting the port of Beitkool with the interior by means of roads. From February to end of April 1862 the Kyga Ghaut road was, I am informed, opened out to a minimum of 12 feet in

Vide para. 3 of Report by Colonel Turner and Mr. Hope, dated 1st March 1862.

width as far as Mullapoor, on the Kala Nuddee, some parts of the ghaut itself being a few feet wider. The road surface, however, is as yet not formed, and the road is neither drained nor bridged. From Mullapoor to Konay the road has not been touched.

3. At the beginning of last month a deadly fever broke out amongst the 1,850 labourers employed upon the Kyga Ghaut; nine hundred men were attacked with the disease, and within two days sixteen hundred left their work, and returned to their homes in Goa and the Southern Concan. A couple of hundred sickly Canarese from the adjacent villages remain at work, and are employed in widening the lower portion of the ghaut and improving the road onward to Mullapoor. Their labour can effect but little, I fear.

4. Failure having occurred at the Kyga Ghaut the gang of convicts were removed to the Arbyle and coast line in order that this road might be opened by the 1st March next; and as the country in this direction is healthy, there is every probability that the engineer's anticipations will be fulfilled, a bridge over the Bellkeny river remaining for completion at that date. On this road there are some 2,600 labourers, 380 convicts and two companies of sappers employed.

5. But the Arbyle and coast road, though opened to a minimum width of 18 feet by the 1st March next, can after all be considered only a cleared road for the greater portion of its length. Though coated in parts with moorum, it can never, until it is metalled throughout, bear even a moderate traffic. The daily passage of even so low a number as 50 carts will entirely cut it up, and when the road is once brought into use we may expect that a daily average of at least 300 carts will pass over it.

6. It thus appears that the Arbyle Ghaut and coast road is expected to admit of cotton passing along it two months hence, to Beikool and on to Alliguddy and Konay; but such cotton, if brought down, can be conveyed only to the sites where the Manchester Cotton Company or others propose to establish presses; for as yet buildings for presses have not been constructed, and presses have not been set up. I have been over the Manchester Cotton Company's premises at Alliguddy, and saw what was pointed out to me as the foundation for the press building being dug. This foundation, being below low water mark, will probably give some trouble, and I have no doubt that a road will be available to bring cotton to Alliguddy before there are presses at Alliguddy to screw it for shipment. An office building, and a workshed built of plank and roofed with iron, have been already constructed by this company, and the walls of a range of barracks wherein to house their labourers, give evidence of the earnestness with which this company prosecutes its undertaking. The Cotton Supply Association whose sole object is the general improvement of cotton, have not any establishment at Sedashegar. The complaint communicated in the Secretary of State's letter, No. 19, dated 13th November 1862, must, therefore, have been made by them on behalf of the Manchester Cotton Company, who have entered into commercial speculations at that place. The accompanying plan, on which Captain Baker, the executive engineer, has shown the progress of the various works at Beikool and its neighbourhood, has been prepared for transmission to the Secretary of State, as required in the 19th paragraph of his letter already quoted. This plan will be useful for reference in disposing of the complaints of the Manchester Cotton Company, who state that works have not been completed by the time at which they had been led to expect they would be available for conveying cotton to the site of their presses, and for landing and embarking goods; and that in order to avoid great inconvenience and additional loss, they have been obliged themselves to construct a pier, which was one of the works Government had undertaken to make. They complain that having sent presses to Sedashegar at great expense, they could not for some time land them for want of a pier; that being ultimately landed on the north-west of the cove, on the opposite side to that on which the pier was to have been built, and near the spot where the wharves have now been commenced, they were unable to convey them to their establishment, and that they have been lying where landed for months with no early prospect of their removal.

7. The disingenuousness displayed in this complaint is to me apparent. It is subject of complaint that works are not completed so as to be available for conveying cotton to the site of their presses; and immediately after the complaint is, that their presses were landed on the north-west of the cove, where they have been lying for months with no early prospect of their removal. It is thus suggested, in the first place, that presses are ready, but that cotton cannot be conveyed to them for want of roads; and in the next place, while it is shown that the presses are on the opposite side of the cove, at a distance from the company's establishment, the labour and agency through which they were placed there are not given.

8. I have already stated above, that neither press, buildings, nor screws are in existence at Alliguddy, and I will now explain why the company's machinery was landed on the north-west of the cove. That point, at the spot marked A in the plan, was the position chosen by Sir W. Denison for a wharf, and under the orders of his Government the hill was cut away there, so as to form a landing with a frontage of 75 feet and a depth of 100 feet.

9. The 2nd and 15th paragraphs of Captain Baker's report dated 1st instant (No. 1), which accompanies this, give the history of the landing in June last of the Seringapatam's stores, among which were the presses referred to by the company; a perusal of that history will



will show that those presses were landed by the sole exertions of Government officers, and that they were landed at the north-west of the cove because that was a prepared spot, and at the same time the most sheltered spot in the bay. It will be gathered also from that history that even had the bay been studded with piers, the Cotton Company had not themselves the means of landing their heavy machinery; and now, in regard to its removal from where it has been landed for them, it is presumed they consult their own convenience, and await the erection of buildings, for its reception.

10. The pier which the Cotton Company complain that they have been obliged themselves to construct, in order to avoid great inconvenience and additional loss, is a paltry affair of 30 feet in depth by 21 feet in width, situated on the edge of the sandy beach in front of the south corner of their premises, and which under agreement will merge in the wharf wall whenever this is brought up to it. It consists of dry stone sheathed with plank, and may have cost, with the tramway which runs from the company's premises to its head, perhaps a couple of thousand rupees.

11. The Secretary of State has given most earnest injunctions that no time should be lost in making the port of Sedashegar available, and in improving the means of communication to it, and it has been reported that the officer in charge of the roads is well supplied with assistance and money. As already said, until February 1862, practically nothing had been done for Sedashegar; since then the Kyga Ghaut and Arbyle Ghaut roads have been pushed on, but deadly sickness among the labourers has necessitated the abandonment of the former for a time. The alternative road *viâ* Arbyle it is anticipated will be passable in two months hence. When this road has been opened no time should be lost in preparing metal to be laid upon it after the first fall of rain; many of the labourers employed upon it might then also perhaps be transferred to the Kyga line between Konay and Mullapoor, a distance of 20 miles now altogether unmade. It may be hoped that after the 1st March, when the hot weather has set in, this portion of country may be more healthy than it has been since the rains. There is in Canara a great want of labour, and this want has been intensified by the attempt to restrict the wages of labour, so as not to interfere with the market in the neighbouring districts of Belgaum and Dharwar. This I think has been a mistake, and the engineer should be authorised to give the full price that labour will fetch in North Canara.

12. The Manchester Cotton Company have imported their labour from Cochin, at six rupees per head per mensem, exclusive of housing and passage to and fro. Had we a steamer available at Sedashegar, something of the kind might be done by our officers, and with fair wages and suitable arrangements for providing food at a reasonable rate, we might anticipate that our roads and wharves would progress with a rapidity hitherto unknown. A considerable quantity of stone has been prepared for the wharf walls, which now begin to appear near the north-east corner of the cove, as shown in the plan. Here, too, labour is but scant; 30 men are working at the wharf wall, and 700 men, including convicts and sappers, are quarrying and preparing the stone. Here also the removal of the restriction on prices of labour will surely tend to improve the supply, and time and money will in the end be saved. I think the wharf from the south-west corner of the Manchester Cotton Company's ground, along the east side of the cove, should, with the proposed pier projecting at the point C, be completed without delay, and that as the hill is cut away to fill in the backing of the sea wall, the level so obtained should be appropriated to warehouses; as trade increases the wharf wall with warehouses should be extended along the west side of the cove, and a pier be constructed at the points A and F. All these piers, except perhaps the last, will be beyond the influence of gales from the west.

13. Captain Searle, the officer in charge of the wharf works, should give his attention also to the preparations necessary for the contemplated lighthouse on the Oyster rock. The want of a steamer is much felt in connexion with this work, and the departure of the "Nimrod" should be expedited. Captain Baker reports that every endeavour is being made to complete this work by the end of May next.

14. I do not think it necessary to press on the river groin. I am told that the deposit of one year is removed the next, and that any perceptible silting up is unknown. The experience of future years will show whether the groin is necessary, and whether the river might not be greatly improved by shutting off its backwaters, so as to enable it, by an increased volume of water, to sweep away the bar at its mouth.

15. I was unfortunate in not finding the superintendent, Dr. Forbes, at Beikool; I am told that since his appointment he has paid the place two flying visits of 36 and 18 hours. This is to be regretted, for the constant presence and fostering care of a superintendent is essential to the well-being of the settlement in its infancy. Drainage, roads, making of allotments, and many other matters connected with an infant colony, require his best and immediate attention. In the mere matter of conservancy, instant arrangements are necessary to prevent a pestilence overtaking the place; I trust therefore the superintendent will be instructed to take up his abode at Beikool, where he should proceed to build himself a house, so as to make it patent to all that it is really the intention of Government that a port should be established there; Mr. Maxwell, agent of Messrs. Nicol & Co., is the only person who has commenced to build a house of stone. All other dwellings at present in existence are mere sheds, and it is not to be expected that a bazaar will spring up until it is seen that the superintendent has permanently taken up quarters. Some six months

ago the Government of India were addressed on the subject of transferring the post office from Sedashegar to Beitkool. This is a transfer that is most urgently called for, and should be carried out pending the confirmation of higher authority; the other Government officers at Sedashegar should also at once be removed to Beitkool, and buildings should be prepared for them without delay.

16. To these and other matters the superintendent's attention should be given, and he should be required to furnish, periodically, reports of the progress made in advancing primarily the interests of the community established at this new port, and secondarily, through them, the development of the resources of a country, the extent or value of which is as yet but little known or appreciated.

17. I have not touched upon the impetus to trade on the Kala Nuddee, the Toodry, and the Suraswutee rivers, which the establishment of the port at Beitkool would doubtless give. The capabilities of these rivers are great, and the luxuriance of the country on their banks is sufficient to show that to the cotton of the upper country, palm oil, sugar, pepper, &c. from the lower might be added to swell the exports from Sedashegar.

5 January 1863.

J. D. Inverarity.

No. 3466.—Public Works Department.

To the Chief Engineer at the Presidency, Bombay.

Office of the Superintending Engineer, Southern Circle,
Belgaum, 30 December 1862.

Sir,

I HAVE the honour to acknowledge Captain Holland's, No. 6437, with Despatch, No. 19, from the Right Honourable the Secretary of State for India, on the subject of the Sedashegar harbour and its approaches.

2. On the transfer of North Canara to Bombay, on the 1st of February 1862, the works referred to were proceeding very languidly. About 78 men were employed on the commencement of a road round the shores of Beitkul Cove, destined to give access to the wharves suggested by Sir William Denison on the northern side of Carwar Head; and about 870 men were employed on the Kyga Ghaut approach, to the head of the Kala-nuddee navigation. The wharves on Carwar Head had not been commenced.

3. It was determined on the transfer, to abandon, for the present at least, the idea of wharves in the situation selected by Sir William Denison, and in place of them to construct at once a quay or landing place on the eastern shore of Beitkul Cove. A plan and estimate for a screw pile pier were called for, and it was arranged that every effort should be made to open the Kyga Ghaut, and to provide an alternative line by the Arbyle Ghaut and Ankola. A lighthouse was also ordered. These arrangements are detailed in the joint report by Colonel Turner and Mr. Hope, especially deputed by Government to determine the course of action to be taken on the transfer.

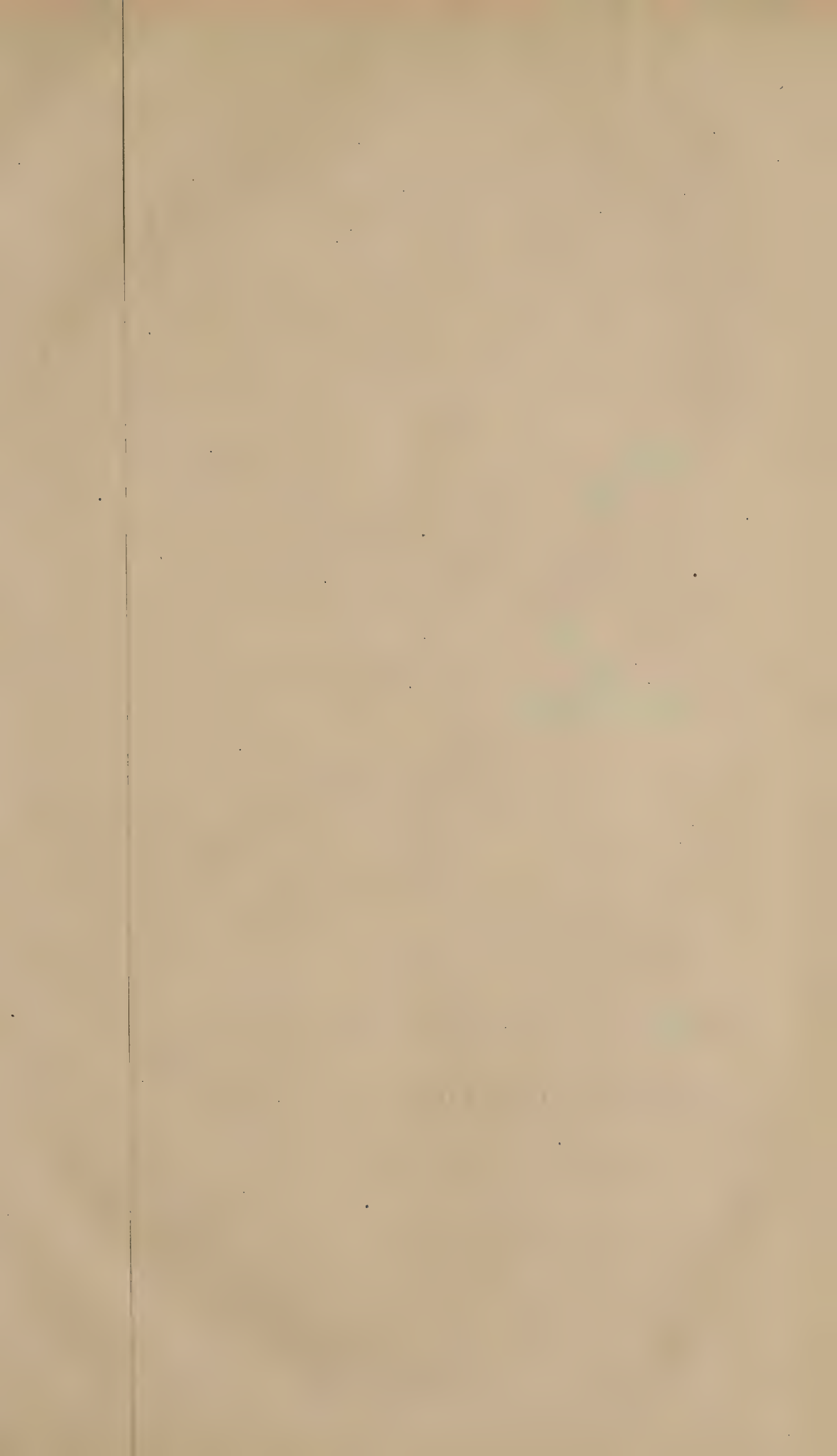
4. I attach a sketch showing the arrangements settled on, and also exhibiting the progress of the works to the present time. The sketch also shows what has been done by the Manchester Cotton Company.

5. Immediately on the transfer, the number of men employed on the works was increased from 948, as shown above, to about 1,800. A company of sappers and miners, and a gang of 350 convicts, were also placed at the disposal of the executive engineer.

6. Every effort was made to augment, to a further extent, the force of labourers, but at that late season of the year it was found impracticable to do so. The local labour was engaged, or about to be engaged in agricultural operations, and workpeople from other districts could not at that season be induced to come to Canara, notwithstanding that the rate of wages was considerably increased; that other inducements in the way of facilities for food supplies were held out; and that Government addressed a circular letter to the civil heads of the adjoining district, instructing them to aid, to the best of their ability, the executive engineer of North Canara, in procuring labour within their respective ranges.

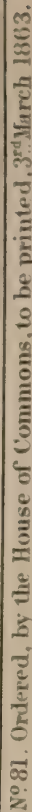
7. Still, with the men that could be got together, the Kyga was made passable for carts; and access by the Arbyle Ghaut and Ankola to Konay was provided. Konay is within one-fourth of a mile of the Manchester Cotton Company's land at Alliguddy; and though at the close of last season, the latter was cut off from Konay by a heavy mass of granite rock, yet had the company been prepared to receive cotton at that time, they could have done so with but very slight inconvenience. The fact, however, is, that at the time the road was completed to the extent above specified, that is, down to Konay, the company's vessel had only just arrived; their plant was not landed, and all through the past year, and up to the present moment, they were not and are not in a condition to receive a single bale. There is now no impediment between Konay and the company's land.

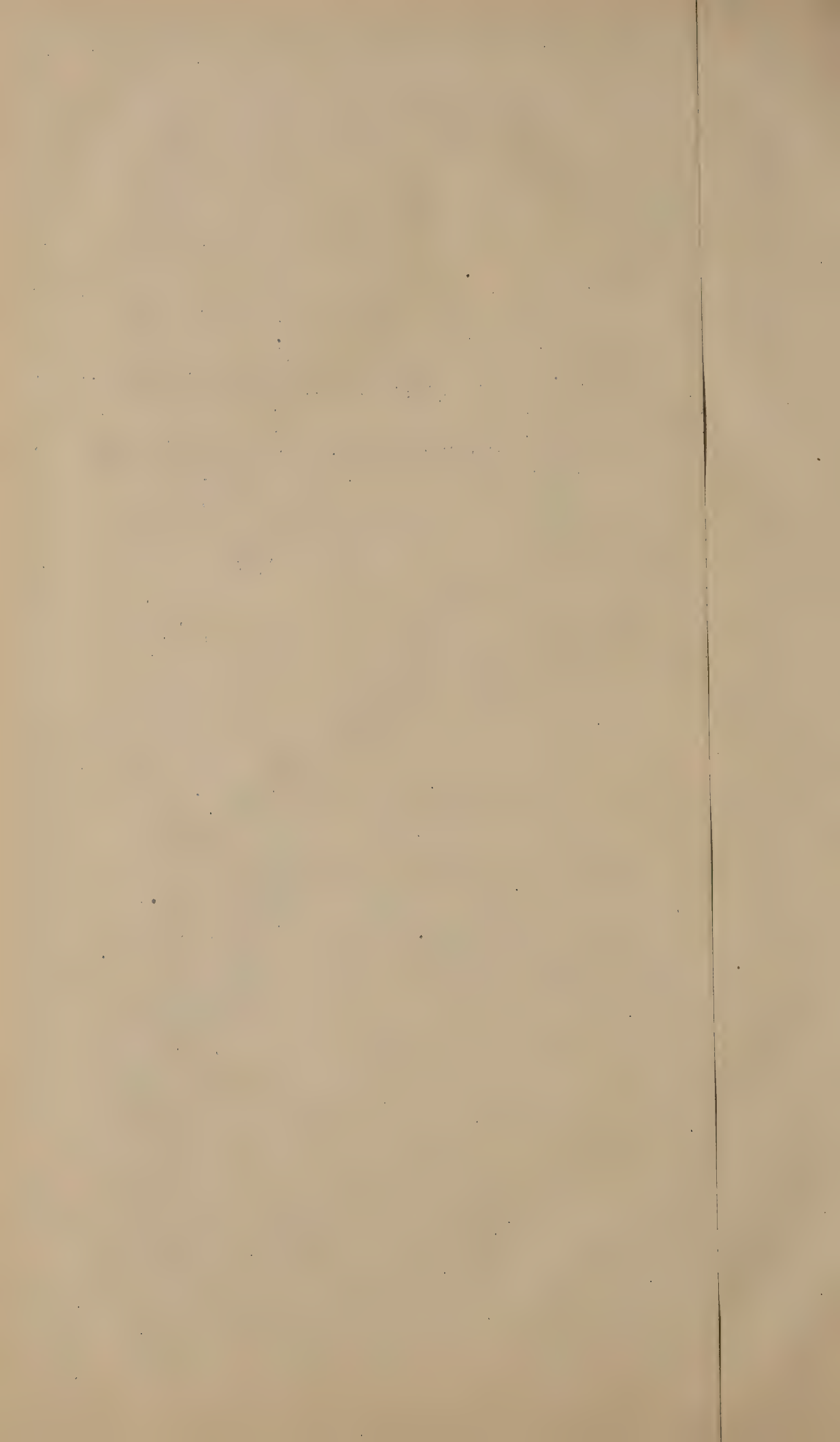
8. I have





HEAD OF NAVIGATION





8. I have just returned from an inspection of the Canara works, and will now, as far as *See Map.* I am able, supply the information called for in the 3d para. of Sir Charles Wood's Despatch. —See sketch.

9. The Kyga Ghaut and its approaches, both above and below, to the head of the Kala-nuddee navigation, are open to a minimum width of 12 feet, and are quite practicable for laden carts, though not yet prepared to receive a heavy traffic. Arrangements were made this year for prosecuting the works with great vigour; but as I have elsewhere reported, those arrangements have been entirely frustrated by the unusually unhealthy state of the country through which the road passes. Fever has broken out with such virulence, that the imported working parties have been broken up and dispersed, and the small amount of local labour is prostrated. Officers and subordinates have not escaped; and the executive engineer himself is so ill that he cannot remain in the district.

10. Under these circumstances, it is very difficult to say when the ghaut will be entirely completed; with this year's experience, which has however been unprecedentedly unfavourable, it will be very difficult again to collect workpeople; and in fact, unless the malaria abates to a very material extent, it will be fruitless to do so, for men cannot and will not work when suffering from disease, nor will they consent to remain to die. Of 2,000 men lately employed on the works, within the space of a few days 900 were stricken with sickness; several died, and the rest cleared off the work in 48 hours, carrying with them reports which deterred the advance of others who were on the way to the ghaut.

11. The question may suggest itself, if this is the state of the district how can any work ever be done in it? The reply is, all that has been done has been effected by the agency of the local labour (which is small in amount, and, to a certain extent, acclimated) and by slow degrees; further, that the present state of the district is without precedent. Owing to some undetermined cause, malaria is more prevalent, and the disease is stronger than has ever been before known; it is now spreading beyond the Canara border into Dharwar and Belgaum, and according to some observations is travelling northwards. Unless there should be some suspension of the occult causes which produce the poison, Canara will shortly be not the only district seriously affected.

12. Probably if restricted to the supply of local labour, and if that labour is able to work at all, which it certainly cannot now do effectually, the executive engineer may be able to complete the Kyga in two or three years from the present time; but, as I have elsewhere reported, with the Arbyle Ghaut approach open, the immediate completion of the Kyga is not of such vital importance. The Arbyle line is not materially, if at all, longer than that by the Kyga, and will enable the mercantile houses to convey their cotton at once to the wharves at the Sedashegar harbour.

13. The completion of the Kyga to the head of the navigation, though desirable, is not essential for the trade, provided the other road is available, and no preparations have yet been made by any person to receive cotton at the termination of the former on the banks of the Kala-nuddee.

14. Too much stress has, I think, been laid on the Kyga Ghaut approach, owing, I believe, to the discussion about it having arisen before the alternative line was suggested and settled on; the question has not yet been cleared of the consideration that it first involved; viz., that the Kyga was the only approach to Sedashegar. It cannot matter to the houses concerned by what route they get their goods to the place where they require them, provided the one actually available possesses no marked disadvantages in respect to any other, and this is clearly the case as regards the Arbyle and Kyga lines. I believe, amongst those who have any local knowledge of the circumstances, there is no difference of opinion in the matter.

15. The Arbyle and Ankola line is already opened out to full width to within 14 miles of Beitkul, and a considerable portion of it is well provided with surface and drainage works. Of the incomplete 14 miles, nine are out to 12 feet minimum width, and five on level ground have just been commenced. In addition to this, there is a branch road on a less convenient line, over a high range of hills, which is opened the whole way to a minimum width of 12 feet, and by which cart communication with Beitkul is now open throughout.

16. On the Arbyle approach we have a heavy force, as per margin, engaged, which will, I trust, now increase day by day, and I think there is every prospect that the road will be ready to full width by March or April next, before which time the Manchester Cotton Company will hardly be in a condition to receive cotton. The company have not yet laid a stone of their press-house, and when I visited their establishment about the 10th of the present month, they had not even begun to dig the foundations of the building. If they do not exert themselves more than they have hitherto done, or appeared to do, they will not be ready for cotton this year at all; at the very most they will only be able, I think, to set up two out of the six presses they contemplate.

2 Companies
of Sappers
and Miners.
500 Convicts.
2,500 Labourers.

17. Sedashegar harbour works; wharf wall.—A commencement was made during my late visit with the wharf wall. This wall could not be commenced last season, as sufficient stone was not ready, and labour was not procurable; during the monsoon arrangements in both respects were made, and the wall will now, I trust, progress rapidly. Before I left

Sedashegar it had begun to show above low-water mark, and by March next, before it is wanted, I expect that a length of at least 300 feet will be ready for landing and shipping goods. This wharf is being laid in three to four feet water, low tide, and will be accessible to cargo boats, except at low water.

18. The road from the wharf to Konay is now opened to a minimum of 20 feet, and except that it is encumbered with stone and material, is ready for traffic; temporary bridges have been thrown across one large and two small creeks which intersected it. If wanted it could be cleared of all impediments to carts in a week; and it is in process of being widened out to its intended width of 60 feet. An iron screw pile bridge has been sent for to span the large creek at Konay, and for the two smaller streams wooden bridges are in preparation.

19. Pier.—It was originally intended to erect a pier on the western side of the cove. (See sketch.) But it has now been determined, by the common consent of the representatives of the mercantile houses and the Government officers, to place the pier on the eastern side. It has also been arranged that an iron screw pile pier is the most suitable style of construction to adopt. A specification for a convenient pier has been drawn up, and in obedience to the orders of Government, has been sent to various persons who are considered as likely to be willing to tender for its construction, by contract. I have, however, already submitted to Government a tender by a firm in Calcutta for an iron pier; as well as a plan and estimate for a wooden one, to be constructed departmentally; and I wish I had received authority to at once order the erection of one or other of them to be proceeded with, for I do not anticipate any material advantage from the invitation of tenders ordered, while that course will involve certain delay. I may add, however, that though it is most desirable to have a pier, one is not immediately and absolutely essential, for when the wharf wall now in progress is ready, goods can be landed and shipped in cargo boats without difficulty.

20. Lighthouse.—The commencement of this work has been delayed owing to insufficiency of labour, and from the want of a steamer to maintain the communication between the Oyster rock and the shore; but as there seems to be some difficulty about the vessel, I have directed the executive engineer to do the best he can without her. A lantern has been ordered from England, and I hope before the monsoon the column will be ready to receive it. The rock is about $3\frac{1}{2}$ miles from the shore; communication is very slow and uncertain; people also strongly object to work on it; so that these are elements of uncertainty in regard to the progress of the building, which will, however, be pushed forward as fast as possible.

21. When the following works are completed, the absolutely essential and immediate requirements of the port will have been supplied:—

The Arbyle Ghaut approach.
The Road from Beikul to Konay.
The Wharf Wall.

It is confidently hoped that they will be finished to a sufficient extent to render them effectual by March or April next, before which time at the earliest the Manchester Cotton Company will not be ready to ship cotton. Every possible effort is being made to secure this.

22. The following works, not absolutely essential, but highly desirable, will be completed with as little delay as is practicable under the peculiar circumstances of the districts:—

The Kyga Ghaut line.
The Pier.
The Lighthouse.

23. When all the works enumerated in the above two paras. have been finished, sufficient will probably have been done until the port develops itself more fully, and it is ascertained what steps are necessary for improving or preserving the harbour, or to meet the increased requirements of the trade.

24. I have now to offer a few observations on the concluding paras. of Sir Charles Wood's Despatch.

25. Towards the end of last season, the vessel bringing the Manchester Cotton Company's machinery, &c., arrived at Sedashegar, and the cargo was discharged under the direction of the company's agents; but by the aid of Government servants and the Public Works Department plant, at a temporary landing-place marked A. on the sketch; without the aid I have alluded to the cargo could not have been discharged at all, and the vessel must have taken her freight to Bombay, as it was at one time proposed she should do.

26. It will be observed that the spot selected for landing the machinery required at Alliguddy is on the western side of Beikul Cove, and it will also be understood that between Alliguddy, where the plant was required, and this point, there is no practicable communication except by water: why under these circumstances the temporary landing-place was made where it was, when it could as easily have been constructed on the eastern side of the cove,

cove, I do not know; but to this fact, and the fact alone, is due much of the delay that has occurred in the Manchester Cotton Company's arrangements.

27. For this selection they alone are responsible, and it has necessitated on their part the construction of another landing-place near their own settlement, shown at B. on the sketch, to enable them to transfer their plant, stores, &c. from where they were first landed to Alliguddy.

28. The second landing-place has just been finished, and consists of a rough stone jetty, about 25 feet or 30 feet long, and about 15 feet wide (I have no memorandum of the exact dimensions, but they do not differ materially from the above), extending into one or two-foot wall low tide. This jetty is merely a rough pile of stones, and will be merged in the retaining wall of the road connecting the wharf wall, or the eastern side of the cove, with Alliguddy and Konay. Neither this jetty nor the landing-place above alluded to can be dignified by the name of "pier;" they are both of them works of the most unpretending and insignificant character.

29. It is of course to be greatly regretted that the Manchester Cotton Company should have suffered any loss in consequence of the want of preparation at Sedashegar; but as far as I am aware of, this department is in no way to blame. It has never, I believe, been stated by any Public Works' officer, that pier and roads were in existence; and since the transfer of Canara to Bombay, no one can assert that there has been want of effort, either on the part of Government or the local officers, to hasten arrangements. That these arrangements are not more forward than they are is not due to any slackness or want of energy, but to causes peculiar to the district itself, to paucity of labour and prevalence of disease.

30. In reference to Mr. Haywood's complaint of want of communicativeness, I am at a loss to know what is meant; Mr. Haywood and his subordinates have, as above reported in para. 25, received from Government establishment and Government stores assistance, without which the company would have been put to heavy additional expense for freight and demurrage, and also to considerable delay; and the complaint, if it relates to Bombay officers, is, I think, without foundation. Of what occurred before the transfer, I have, of course, no knowledge.

31. Everything has been done, and everything in reason will be done, by the officers of this department, to facilitate the company's arrangements; but if loss or disappointment is occasioned by their own precipitancy, or want of management, it is not fair to attempt to throw the blame on the officers of Government. These officers are gentlemen of intelligence, who are quite alive to the great object in view, and who are actuated in regard to that object, by no mere mercenary considerations * * * * but by a loyal desire to further the efforts of Government in regard to the development of a very important branch of the commerce of the country.

I have, &c.
(signed) *M. K. Kennedy*, Lieut. Colonel,
Superintending Engineer, Southern Circle.

No. 1 of 1863.—Public Works Department.

To the Secretary to Government, Bombay, Public Works Department.

Sir,

Sedashegar, 1 January 1863.

I HAVE the honour to acknowledge receipt of your endorsement, No. 6437, of the 19th ultimo, forwarding for immediate report Despatch, No. 19, of the 13th November, from the Right Honourable the Secretary of State for India to His Excellency the Honourable the Governor in Council, Bombay.

2. The landing-place on which the Manchester Cotton Company have stored their machinery is at the north-west corner of the cove, at the point marked A on the plan. See Plan.

3. The landing-place has been formed by excavating from the hill side, and filling in towards the cove, the outer face being merely loose stones of any size thrown down and retained in their places by cocoa nut trees laid horizontally along the front, then again being retained in their places by posts driven at intervals along their front into the ground.

4. It has a frontage of 75 feet, and a depth of 100 feet.

5. When I took charge of these works, Mr. Sub-engineer Boesinger, the officer in charge at Beitkul, was at work at this point, and I believe it was chosen by Dr. Forbes as the landing-place partly because something had been done; it was, in fact, fully half ready for him; and partly because it would be well sheltered during the monsoon then close at hand. Under instructions from superior authority the work was stopped, every available man being required to enable me to open out a line from Yellapoor, *viâ* the Arbyle Ghaut, Ankola, and the Hyderabad Ghaut to Konay before the 15th April last.

6. On the completion of this line I came to Konay with my carts, &c., as then reported. I met here Mr. Haywood and Dr. Forbes. The latter expressed himself pleased that I had come, as he wished me to assist him with coolies, he being unable to procure a single one.

7. I took about 100 men off the Government works on the Beitkul and Ankola line, and placed them at Dr. Forbes' disposal. They ran away, and a second 100 men were taken from the same work and given to Dr. Forbes, who set them to work at the landing-place, completing it to its present state, and protecting the front with trees, as above described.

8. In completing this work, and to save expense and trouble, the level was reduced from $4\frac{1}{2}$ feet to 1 foot above high water mark. Government will therefore at some future time be put to the expense of raising this landing-place again to its proper level.

9. Under demi-official instructions from the Secretary to Government in the Public Works Department, Colonel Turner, the services of Corporal Banks, a very clever mechanic, sent (by the Government of Madras) to Beitkul with one of Nasmyth's steam pile-driving machines, were placed entirely at Dr. Forbes' disposal during the latter part of March 1862 and the whole of April. Mr. Boesinger was also directed to give every assistance from the Government stores.

10. As soon as the ground was levelled, we handed over to the company 248 feet of rails for a tramway, with a waggon complete; Mr. Banks also fixed on the landing-place a three-ton crane. The company were also provided with chains, blocks, ropes, in fact everything they chose to ask for; we only required a receipt for each article as it was issued.

11. I forward herewith lists of articles, the property of Government, which have been supplied to the company on their requisition. The first is a list of articles still in their possession; some of which (viz., rails and waggon) I should be glad to have returned; but I refrain from asking for them, being anxious to give the company all the assistance in my power. For another item, viz., the anvil, I applied to the company some time back, when I was much inconvenienced for want of anvils; they, however, were unable to find it anywhere. The second list shows what articles have been issued to and expended by them. The third list shows what articles have been issued and returned. The total of the three lists represents the total issues.

12. On the arrival of the "Seringapatam" the company proceeded to land the cargo; and as long as no piece exceeded three tons in weight there was no difficulty. When, however, they began to lift the heavy pieces of machinery, weighing from five to eight tons each, a new $4\frac{1}{2}$ inch Manilla rope, brought out from England in the ship for this express purpose, broke at once with a weight of $4\frac{1}{2}$ tons. A committee condemned the rope, and then condemned all the ropes in the Government stores. The company then decided upon taking all their heavy machinery to Bombay, to be landed there, and sent down to Beitkul after the monsoon.

13. This would have put the company to great expense. Mr. Boesinger, therefore, went to Mr. Haywood, and offered to land the whole of the cargo if he was not interfered with by others. The work was entrusted to him, and Mr. Haywood engaged another Government officer, Mr. Lowe, inspector of police, to assist. Platforms were fixed to the company's boats, the timber and planks being obtained from the Government stores, and in 12 days (four of which were monsoon days) the whole of the cargo was safely landed, the tackle used being the very same Government tackle condemned by the Cotton Company's committee. Mr. Boesinger's whole time for these 12 days was devoted to the company.

14. No accidents occurred to coolies, boats, or cargo, only an old yard of the ship was broken, and the shears erected by Dr. Forbes had to be re-erected in a stronger and better manner.

15. Such is the history of the landing of the cargo of the "Seringapatam," given to me by Mr. Boesinger; I was not present at Beitkul at the time. I do not see what more assistance we could have given, nor do I understand how the company can complain that they were unable to convey their machinery to their establishment, and that there is no early prospect of their removal.

16. It appears to me that if the company had made better arrangements, if they had despatched their ship earlier from England, they might have avoided the difficulty of landing heavy weights, such as pieces of eight tons each in the month of June. Had the ship arrived in the fair season, the whole of the cargo might have been landed close to Allyguddy. Again, no preparations were made for ballasting the ship, as the heavy pieces were taken out; for this reason it took 12 days to disembark all the cargo. Fortunately for the company, the monsoon was a very late one.

17. As to the removal of the cargo to Allyguddy, I presume the company are pleasing themselves in keeping it still at Carwar Head. I see no reason why they should not remove it now if they wish to do so.

18. With regard to the present state of the works, and the probable time of completion, I have the honour to report as follows:—

19. *Pier*.—The site of the pier has, to suit the company and Messrs. Nicol & Co., been fixed at the point C on the plan above referred to; plans and estimates for an iron screw pile pier and a wooden jetty were submitted to Government during the monsoon. Government have decided upon the former; but as the estimate framed by Messrs. Knight & Co. of the Seedpoor iron foundry works, Howrah, Calcutta, was high, viz., 1,40,000 rupees, I have been directed to communicate with Frederick Johnson, Esq., in England, the contractor of the Madras pier, the contractor for the screw pile bridges on the Baroda Railway, as well as Messrs. Knight & Co., and also to advertise in the public papers. The pier cannot now be commenced till after the next monsoon; it will, however, I hope, be completed next season.

See Plan.

20. *Wharf*.—During the past monsoon a large quantity of stone was collected for the wharf wall, which was commenced as soon as the season permitted; only a commencement, however, has been made, and the work must progress slowly, as labour is very scarce and work can only be carried on at low tide. The wall is also some distance out in the cove, and roads have to be made out to the site before the work can be commenced. It is impossible to say when the whole of the wharfage from Carwar Head to Allyguddy will be ready: if so many works are ordered at once, progress on each must be slow. In any case it is a matter of years, not days or months; sufficient, however, will be completed this season south of the point C to accommodate all the shipping or cargo likely to come to Beikul this year.

21. *Road from Konay to Beikul*.—I do not think any complaints can be made regarding this work. Last May, and up to July even, it was almost, if not quite, impassable for foot passengers. A road of 10 feet minimum width has been cleared through the rocks (granite) during the monsoon. This road is now being widened, and the sandy portion in front of Allyguddy is being covered with hard soil. A very fair road, 30 feet wide, may be looked for in March; when completed the road is to be 60 feet in width, a very considerable work in easy soil, a still more difficult one when carried through spurs of hard granite.

22. The following table shows the present state of the road as regards width; but it cannot be considered passable for carts, as every day's work blocks it up temporarily. It can, however, be quickly prepared for traffic, when that traffic is expected.

From Konay to Beikul.	Length.	Width.	Remarks.
	<i>Feet.</i>	<i>Feet.</i>	
From Konay for - -	600	20	Good.
Ditto " - -	300	18	A great deal of rock to remove.
Ditto " - -	300	10	150 feet of rock now being removed.
Ditto " - -	1,063	20	Sandy, now being moorumed.
Ditto " - -	382	- -	Curve to Allyguddy, only lined out.
Ditto " - -	420	29	
Ditto " - -	900	15	Rocky and irregular.
Ditto " - -	200	18	Beikul.
From Beikul to Saddle H	825	- -	Not yet touched, as it passes through the storeyard.
	2,000	28	Good road to Saddle H.
TOTAL Length - -	6,990	or, $1\frac{1}{3}$ mile.	

23. Connecting this road with the future town of Sedashegar and the Kyga road is the Konay bridge. Piles for foundations are now being prepared; a pile-driving machine is now on its way from Dharwar, and arrangements have been made with Messrs. Knight and Co., of Calcutta, for the erection, by July next, of an iron lattice girder bridge, of eighty feet waterway. For present traffic, a wooden trestle bridge is in course of construction.

24. *Lighthouse*.—A party is stationed on the Oyster Rock, preparing the site and making a road and landing place. This is a very heavy work, owing to its distance, $3\frac{1}{2}$ miles out at sea. It is sometimes very difficult to get out to it or to get back again in native boats, and no steamer is available. The late monsoon has also delayed the commencement of work for two months, and owing to such a large lantern being sent out from England it has become necessary to alter the plan originally sanctioned. Every endeavour is being made to complete this work this season.

25. *River Groin*.—This is an important work, but with my limited supply of labour something must give way. I have made an attempt to commence it, but jungle wood piles are not procurable. There is so much sickness in the district that even the contractors in the forest department are, I understand, quite unable to bring down to Sedashegar the timber they have bought or contracted to bring down. The groin must stand over till other more important works are completed.

26. *Kyga Ghaut Road.*—This line was opened out to a minimum width of 12 feet, last season, as far as Mullapoor. The ghaut, in length, itself is generally much wider; the greater portion varying from 16 to 20 feet in width. It is not, however, either formed, drained, or bridged. The superintending engineer travelled over it with carts, and I believe without difficulty, in the middle of November. I also, and the prisoners also, have taken carts up and down the line with ease.

27. In the beginning of December there were 1,850 men at work on the ghaut, under a contractor who brought 1,600 of these from Goa, Rutnagherry collectorate, and the Sawaut Warea State. He promised me a great many more by the end of December, when all the crops would be gathered. Out of these men 120 were reported sick. But towards the end of November we had a very severe storm, followed by bitterly cold land winds. There was at once a very marked increase of sickness all over the country, on and above, and just below the ghauts. I learn from Major Anderson that at Moondagode the crops even were left standing, owing to the inhabitants being too sick to reap them.

28. The effect on the ghaut was electrical, in 48 hours the whole of the 1,600 men from other districts had vanished, and only a couple of hundred sickly Canara coolies, residents of the neighbouring villages, remained.

29. This is a great misfortune, but it cannot be wondered at, or striven against. In one day the per-centage of sick rose from 7 to 50 per cent.; the subordinates of this department, the contractor's principal agent, all his establishment, and 50 per cent. of his coolies, were down with fever. Laden carts were left standing on the road, as the cartmen were unable to move; two or three men quickly died. Can we be surprised at our coolies deserting? At their preferring work on the Parpoolie Ghaut, in a healthy climate, and near their own homes, on 2½ annas a day, to work in such a deadly jungle on 3½ annas a day?

30. All the workmen employed on the cotton plantation at Kadara fell sick at the same time; most of them, including some of those brought from Salem at great expense and trouble, disappeared. Much money has been lost in advances, in medicine, and in short work. There are not coolies even to keep the plantation free of grass and weeds, and yet these men were well paid, well housed, and their wants carefully attended to.

31. The small villages all along the Kyga line are almost deserted; the large ones as Yellapoor and Mullapoor, have become small ones. Even at Yellapoor the mamlutdar was unable to procure people to grind grain purchased for the prisoners.

32. My endeavours to introduce foreign labour into Canara have failed; my hopes of carrying out the wishes of Government and of earning some little credit for myself have failed; I have done my best. At one time I was full of hope and sanguine of complete success; by the next post, I learnt the utter failure of the ghaut works. I had then full 5,000 men at work, exclusive of convicts and sappers; now I have only 3,500 coolies, 500 convicts, and two companies of sappers.

33. The contractor is still on the ghaut with his 200 men; they are widening out the lower portion of the ghaut, but they cannot be induced to move higher up further away from their villages, and into a colder climate. He is also endeavouring to get one or two of the most important bridges built, the stone having been already prepared. I have resolved on keeping the contractor on the ghaut as long as a single cooly remains there. Though they cannot do anything to the upper portion, they will improve the lower portion, and the road from the foot to Mullapoor; however little they do, it will be so much done towards next year's work.

34. The Dharwar gang of convicts, 348 strong, reached the ghaut just after the coolies deserted; they were employed for a few days widening out the reverse slope towards Iddagoonjee, and have done excellent work. But on the failure of the contract work it was considered advisable, and indeed necessary, to make sure of the Arbyle line. Under instructions from the superintending engineer the gang was moved from the Kyga to the Ankola and Beitkul road; they are now on their way repairing the Arbyle Ghaut and road as they come.

35. *Arbyle Ghaut and Road.*—The same fever which has driven the workmen from the Kyga has prevented them from going to the Arbyle. It is especially difficult to obtain any labour for the repairs of the portion between Sungutikope and Yellapoor. The Arbyle is a cleared road only for a great portion of its length; it is moorumed in parts, and most of the rivers are bridged. The prisoners are now putting it in order; water and supplies are more plentiful, and the road generally is more level than the Kyga line: the distance by both routes is about equal. I feel sure therefore that it will be preferred by cartmen to the Kyga. Although far inferior to the Dharwar and Coompta road, it will by the 1st March be sufficiently good to bear a moderate traffic.

36. *Bunkapoor and Yellapoor Road.*—The portion of this road lying in Canara districts between the frontier and Moondagode has from the 1st December been transferred to the executive engineer, Dharwar, who will be able to devote more time to it than I could do. For the reason mentioned at the close of para. 27, progress thereon must be slow. But it is a short line of 4½ miles, and may possibly be available for traffic this season. The continuation from Moondagode to Yellapoor is a cleared line, good in some places, but indifferent in others. All the labour that can be procured is put upon it executing repairs.

The

The chief difficulty is the Baidlee nullah, which must be bridged as soon as possible, but I fear it cannot be done till the country is more healthy, as the site of the bridge is about the very worst place in Canara for fever. For this river an iron girder bridge of 60 feet waterway is required. I have only just received the section, and will submit my proposal as soon as possible.

37. *Road from Beitkul to the Arbyle Road, near Ankola.*—This line was cleared to 12 feet in width last season from Ankola, as far as Ahmedhully; the Hyderghur Ghaut was cleared of rock and widened, and a passable road completed to Konay by the 14th April last. This was only a temporary line, the correct line running from Ahmedhully along the coast to Urghy, Binghy, and Beitkul. During the monsoon the proper road has been steadily proceeded with. One party has been employed forming and mooruming the road at the Ankola end to a width of 18 feet; they have advanced as far as the first range of hills, about $4\frac{1}{2}$ miles. Another party worked from Beitkul, and have made a road 28 feet wide up to the Saddle H, and 24 feet mean width down the hill side to the low rice ground in Binghy Bay.

38. Since the crops have been gathered labour has come in pretty plentifully on this line. There are a good many villages on the coast, fish can be obtained, and there is no fever. In addition to two companies of sappers and miners employed in blasting rock, we have 2,607 coolies on this line. By the 1st March there will be a good road 18 feet minimum width from Ankola to Ahmedhully, 10 miles, and from Beitkul to Urgy, 3 miles. Between Urgy and Ahmedhully is a flat of six miles over rice fields; this will be raised, and the portions near the hills will be moorumed by coolie labour. The chief difficulty is in procuring carts to moorum the distant portions. I have applied to the collectors and engineers of Dharwar and Belgaum for assistance. The collector of Belgaum has answered to the effect that Canara has so bad a reputation for fever and want of food that he fears he cannot send me a single cart.

39. Feeling sure I should meet with this difficulty, I have during the monsoon prepared a considerable number of wheelbarrows and hand carts. Mooruming the road in this way must necessarily take time, and will be very expensive; but I think I am right in my belief that the Government will readily sanction expensive work when they understand that it is necessary, and that if cheap work alone is to be done it will not be done at all.

40. Over the Bellikerry creek a timber pile bridge of 210 feet waterway in seven bays of 30 feet each, will be erected. This will not be ready by the 1st March, but as at low tide there is very little water in the creek, sometimes it is only nine inches deep, cotton carts can easily cross. In this there is no hardship, as bullocks and men must rest somewhere, and the village of Aorsa at the bridge site is the natural halting place. The carts can be halted on either side according to the state of the tide, being taken across the creek when it is low water.

41. Should the mooruming be incomplete, an alternative line over the Hyderghur Ghaut to Konay and Beitkul is available. The cotton merchants have only to go themselves or send their agents over each line, and choose the one they like best; it is only a 20-mile ride from Beitkul *viâ* Binghy to Ahmedhully, and back *viâ* the Hyderghur; a ride any one of them may make in one morning before breakfast.

42. Last season Dr. Forbes, Mr. Haywood, and others seemed to doubt my statements that carts could be brought to Konay with ease, and declared I only got them over the line by the assistance of coolies. I immediately placed myself at their disposal, and offered to go up the Kyga and down the Arbyle with all or any of them. No one felt disposed even to take a ride a few miles out and back. I have again suggested to the agent of the Manchester Cotton Company the advisability of their engineer, Mr. Fleming, accompanying me as far as Ankola at least; it was arranged that he should do so, but the trip was put off by him. I would respectfully request that it should be intimated to the agents of the Company, and of Messrs. Nicol & Co., that they should personally inspect my roads before they make official complaints condemning them.

43. I have now answered, as fully as I can, para. 3 of the Despatch. Before concluding, however, I will take this opportunity of laying clearly before Government the results of my experience in North Canara, and my views of future requirements.

44. In Canara we have to contend with four most serious disadvantages:—

1. Want of labour.
2. Want of food.
3. Deadly fever about the ghauts.
4. Cholera on the coast during the monsoon.

The first two wants result from the last two disadvantages.

45. The district is in a most pitiable state. From all accounts it was healthy enough a few years ago, when the Devamany and Arbyle roads were made. But fever becomes worse and worse every year. There is hardly a soul in Canara, man, woman, or child, who is not constantly ill for days together with fever of a bad kind. If any escape, it is only those whose occupations never take them from the coast, and who can avoid exposure to the sun and rain. The impossibility of procuring proper food predisposes every one to fever.

46. As before stated, fever has rendered impossible the vigorous prosecution of the Kyga road and Arbyle road repairs. In August last I sent an assistant to Coondapoor, provided him with ample funds for advances, and directed him to engage and send to me for the Ankola and Beitkul road the 2,500 men who used formerly to come every year for work in North Canara and Dharwar. He succeeded in engaging about 800 by the middle of September, and despatched about 400 in gangs of 50 or 100 each. There had been a good deal of cholera all along the coast during the monsoon, but by that time it was disappearing. However, immediately on arrival of the first gang of 59 men, one was attacked and died; two or three others died a few hours afterwards; the rest ran away, stopped the others on the road, and all Mr. Powell's exertions and advances have gone for nothing.

47. From the above only one conclusion can be arrived at. If work is to be done in North Canara, labour must be supplied by Government; shelter must first be provided for officers and men, and a commissariat must be established. For work on the coast; permanent labour on high wages must be engaged from Cochin and Malabar; for works inland, every convict in the Presidency should be sent to Canara. Good and experienced medical aid, with an ample supply of medicine, especially quinine, is required. In fact, Government must do as private firms do, viz., first procure the labour and superintendence, and make them comfortable; then commence work.

48. Beitkul is head quarters; next monsoon there will be a large number of Europeans here belonging to this department alone; it will be absolutely necessary that Government should sanction a partial suspension of work in April, to enable us to build huts for ourselves, prisoners, and guards, before the monsoon. And as even grass cadgans and such like materials are procurable only in small quantities and with great difficulty, any assistance that Government can give us in supplying wooden houses or iron barracks from Bombay, would be very acceptable.

49. We might get contractors from Bombay, perhaps, to build stone, brick, or mud houses, but they cannot procure either labour or materials as long as there is such a demand for the immediate construction of so many miles of road, wharves, lighthouses, &c. &c., and we have only 735 labourers, including 110 convicts and 14 sappers, for all Beitkul works.

50. The Manchester Cotton Company have obtained about 300 coolies from Cochin, give them houses and 6 rupees per mensem. We must send an officer and one or two subordinates to Cochin and Malabar, and obtain at least 3,000, and if possible, 5,000 men from thence; we must pay them probably seven rupees per mensem, provide them with food and medicine, give them advances, and build lines for them; but above all, we want every convict and every sapper who is available; then and then only will the works progress as fast as every one wishes. There is at present no road at all between Beitkul and Mullapoor; for this, for the completion of the Ankola line, for the Beitkul wharves and roads, for town roads, and for the river groin, we require as many coolies as we can collect. For works in the water we require a small steamer, half a dozen cargo boats, two ships' cutters, a dredge and barges. Were the latter here, the filling in behind the wharf wall would proceed with rapidity and cheapness, and deeper water would be obtained in the cove at the pier site.

51. The superintendent and assistant magistrate ought to be here to make sanitary arrangements. I am held strictly responsible for this by the superintending engineer, but I can do nothing; I may give as many orders as I please, but I cannot enforce them or punish those who offend against them. Now already the necessity for some arrangement is most disagreeably apparent.

52. Postal arrangements are very bad. It is useless for the auditor to inform me regularly every month that I am reported for the non-submission of some return; a telegram from Captain Ker from Poona was six days on its road from Dharwar to Beitkul; Mr. Chief Secretary Robertson's telegram of 26th instant reached me on the 30th, 24 hours after the Honourable Mr. Inverarity had left Sadashegar. It takes 11 or 12 days in the monsoon for letters from Bombay to reach Beitkul; the superintending engineer's letters take 8 or 9 days to reach me from Belgaum, and my own letters to my subordinates in Sopha and other distant places are 19 days in transit.

53. The mail cart from Dharwar can easily, during the fair season, come as far as Mullapoor; it can all the year round go to Coompta, or at any rate, to Munky Ferry, three miles from Coompta, and there is no reason why the post office should still be kept at Sadashegar, on the opposite side of the river.

54. The extension of the telegraph from Dharwar is also a work requiring early attention to enable the residents here to communicate speedily with Bombay. The benefit the cotton trade would receive from the telegraph is apparent.

55. If the above arrangements are made, good roads can be completed next season down the Kyga and Arbyle Ghauts, and ample accommodation provided at Beitkul for present traffic; if not, it will take years to complete the approaches to Sadashegar.

56. I have not alluded to the road from Sircy *viâ* Devenhully and the Abcheway Ghaut, to join the Ankola line to Beitkul, or to the road from Dharwar *viâ* Hullial and the Unshy Ghaut to Boree Bunder, opposite Mullapoor. Neither of these lines can be touched till the more important ones down the Kyga and Arbyle Ghauts are completed.

(signed) *W. A. Baker*, Captain,
Executive Engineer, North Canara.

LIST of Tools, &c. lent to the Manchester Cotton Company (Limited) not yet returned.

1 Tramway waggon complete.	1 Chain $\frac{1}{2}$ inch 18 feet long.
248 Feet bridge rails for ditto.	1 Ditto " 20 "
1 Anvil; $4\frac{1}{2}$ cwt.	2 Steel jumpers.
1 Mooring screw.	1 Block (brass) and sheave, single 6 inches.
2 Chains $\frac{1}{2}$ inch 200 feet long.	1 Ditto ditto double 6 inches.
1 Ditto " 150 "	1 Hand hammer.
1 Ditto " 11 "	

LIST of Articles, &c. belonging to Government expended by the Manchester Cotton Company and not yet paid for.

Wear of 20 pickaxes issued new, and now nearly gone	150 Canara baskets.
10 Iron crowbars repairs at 4 annas each.	100 Coir hawser 12 inches. a. p.
3 Steel jumpers, wear of, at ditto.	12 Carpenters at 8 - each.
1 Priming needle, issued new and returned broken.	7 Coolies assisting ditto at 2 8 "
1 English axe new (native axe returned).	1 $\frac{1}{2}$ Blacksmiths at 7 5 "
3 lbs. round bolt iron.	4 $\frac{1}{2}$ Hammer-men at 2 8 "
17 " 2 inch flat iron bar.	2 Blacksmiths at 9 - "
22 Screw bolts weighing 67 lbs.	2 Hammer-men at 2 8 "
2 Coils Europe rope hemp, new, $4\frac{1}{2}$ inches.	1 $\frac{1}{2}$ Blacksmiths at 14 - "
1 Ditto ditto 7 $\frac{1}{2}$ "	3 Hammer-men at 3 - "
$\frac{3}{8}$ Ditto ditto 4 $\frac{1}{2}$ "	21 Carpenters at 9 2 "
1 Ditto ditto 3 "	2 Coolies at 3 - "
275 Feet ditto ditto 2 "	5 Candies charcoal at 6 3 a candy.
2 Hand saw files.	1 Log Jungle wood No. 53 } 4 $\frac{1}{2}$ candies at 8
242 Nails weighing 12 $\frac{1}{2}$ lbs.	1 Do ditto " 76 rupees per candy.
10 lbs. powder blasting.	Sawing ditto 1 kody, 10 guz, 10 angulas.
2 $\frac{1}{2}$ Maund coir rope.	Repair of boat; 1 carpenter for 3 days at 8 annas a day.
50 Bombay baskets.	1 Cubic foot teak wood for ditto at 1 $\frac{1}{2}$ rupees.

LIST of Articles lent to the Manchester Cotton Company and returned by them.

1 Crane, 2 tons, chain, spare stay, complete.	1 Five foot rod.
1 Double purchase crab complete, extra pieces of iron and 4 foot bolts.	1 Steel jumper.
20 Pickaxes, old.	9 Billhooks.
20 Mamoties, good.	7 Double blocks.
10 Crowbars, repairable.	7 Single ditto.
1 Brass lamping bar.	1 Four sheaved ditto.
1 Broken copper priming needle.	2 Iron blocks.
1 Vent wire.	1 Chain $\frac{1}{2}$ inch 200 feet long.
1 Iron jumping bar.	1 Ditto $\frac{3}{4}$ " 60 "
11 Axes.	1 Ditto $\frac{1}{2}$ " 22 "
1 Native axe (returned for an English one).	1 Ditto $\frac{3}{4}$ " 32 "
2 Iron wedges.	1 Ditto $\frac{1}{2}$ " 16 "
1 Mason's level.	1 Ditto $\frac{1}{2}$ " 15 "

W. A. Baker, Captain,
Executive Engineer, North Canara.

Sedashagar, 1 January 1863.

From Dr. *G. F. Forbes*, Superintendent of Sedashagar, North Canara, to Captain *E. Holland*, Under Secretary to Government, Bombay.

Sir,

I HAVE the honour to acknowledge receipt of the Government Despatch, No. 19, dated India-Office, London, 13th November 1862, and bearing your endorsement, No. 6437, of the 19th instant, for my immediate report. In reply, I beg to state, first, with regard to the company's complaint that "they have suffered considerable pecuniary loss by reason of works not being completed by the time that they had been led to expect that they would be available for conveying cotton to the site of their presses," &c.

2. Before cotton can be pressed, the presses must be set up. This is the work of the company, and though they have now been there upwards of eight months, as I can testify from having visited the spot yesterday, even the foundations of the building which are to

hold the presses have not yet been commenced upon, although they have obtained their land, and have their materials on the spot. If all the cotton of Dharwar was now at their doors, they could neither press, nor export, a single bale of it, and all the Public Works required for conveyance of cotton from the interior to the port are likely to be ready long before the company can be prepared to receive any; to say, therefore, that they have suffered pecuniary loss from the cause mentioned is entirely out of the question.

3. They state that "having sent out presses to Sedashegar at great expense, they could not for some time land them for want of a pier." Their first vessel, the "Seringapatam," arrived at Sedashegar on the 6th of May last; at daylight next morning, as the records of the company will show, boats were sent alongside, and from that time forward, until the whole of the cargo was landed, the unloading of it went on as quickly as the crew could deliver it over the side; to say, therefore, that they could not for some time land their presses for want of a pier is simply untrue.

4. The company's engineer and manager, Mr. Fleming, having expressed himself unable to make the necessary preparations for landing the ship's cargo, I was asked, as a special favour towards the company, to undertake that duty, and before the arrival of their vessel I had prepared a convenient landing place, which was provided (from the Government stores) with a tramway, cranes, and shears, and also with sheds for the protection of the stores. It is true that this work was done at the company's expense, but the cost was something very trifling.

5. Besides the above work, which I calculate may have cost about 60 £. or 70 £. at the outside, the company have, since the monsoon, constructed a small jetty contiguous to their own ground at a spot where Government never contemplated building a pier, which is entirely useless to any one but themselves, and which they would have built for their own convenience, whether the Government pier had been ready or not. The cost of this erection cannot have exceeded 100 £.

6. From the date above-mentioned, at which the first company's vessel arrived at Sedashegar, it will be seen that the season was very far advanced, but up to that time the company had made no preparation whatsoever towards providing shelter for their stores and machinery upon their own land (obtained a year ago), though their agent had been out for several months, and might with the greatest ease have done so. Accordingly when I undertook the duty I had no such preparation to fall back upon, and with the prospect of the immediate approach of the rains it became expedient that I should avail myself of the spot most conveniently situated, towards enabling me to carry out the unloading of the vessel. Had the company's store sheds upon their own land been ready before the ship arrived, I should have been saved a great deal of trouble, and the whole of the ship's cargo could have been placed in them, instead of the spot which I was obliged to select.

Camp Belikery, 29 December 1862.

I have, &c.
(signed) G. F. Forbes,
Superintendent of Sedashegar.

EXTRACT from the Proceedings of Government in the Public Works Department, No. 17, dated 8 January 1863.

Read the following letter, No. 3418, dated 22d December 1862, from the Superintending Engineer, Southern Circle.

I HAVE the honour to report that I have inspected the road in progress from Beitkool to near Ankola, and also from the latter point to Iddagoonjee, the top of the Arhyale Ghaut.

2. The road between Beitkool and the point near Ankola is a new line; from near Ankola to Iddagoonjee the work now to be done consists of the completion of a partially finished road commenced some years since.

3. I will speak of these portions separately.

* * * * *

5. You are aware that cart communication was made practicable last season by a road, on a narrow trace, from the point near Ankola to Beitkool; this road passes over the Hyderghur Ghaut. The passage over the Hyderghur Ghaut (a saddle of some 700 feet of elevation) was, however, considered only a temporary arrangement. The ghaut had several years since been nearly opened out to 12 feet, and as it could be completed to that width quicker than a new road on a better line could be constructed, it was adopted for last year's use only.

6. The road now in progress does not force the traffic over such high levels, and is shorter. It was selected by Colonel Turner during his visit to North Canara last year, and ordered to be adopted as the permanent line. In distinction, it is called the Bhinghy Bay line, and, as it will be observed, it joins the Hyderghur Ghaut road at Amadully, south of which point the line is common to both.

7. I shall

7. I shall now speak only of the Bhinghy Bay line:

8. Leaving Beitkool, the road, starting from the head of the cove, crosses a saddle of inconsiderable elevation, over which it is out to full width and nearly completed.

9. Bhinghy Bay has then to be crossed by an embankment through rice fields. This embankment is in progress, and on it about 350 coolies were employed at the date of my visit; more labour is, however, wanted, and I trust will soon be forthcoming.

10. South of Bhinghy Bay a second range of hills of no great height is crossed, and this part on which occurs the greatest quantity of rock on the whole line is now in vigorous progress. The 3d company of sappers and miners and 1,200 coolies are at work at it, and this force will soon clear it out.

11. Passing this saddle the low land is attained, and the road is thenceforward as far as Amudully nearly on a dead level, and through rice fields. Over this part a 12 feet slightly embanked road already exists; a portion of the old coast line executed many years since, by, I believe, the Revenue Department. This line, which is as nearly direct and level as possible, will be generally adhered to; thus saving labour, and, what is of more consequence, diminishing the amount of valuable land to be taken up.

12. On this part there are numerous small irrigation channels required, but very little natural drainage has to be provided for. Over the most considerable stream a brick bridge already exists, which, though narrow and awkwardly placed, will serve till a better crossing can be provided for.

13. The line here has been staked out, but work on it has not yet been commenced for want of sufficient labour; but arrangements will, I trust, shortly be made for pushing it forward, and for procuring the requisite number of carts to bring the surface material from the neighbouring hills. It is here, however, that the greatest difficulty in respect to opening the whole line may be expected. With fresh drafts of prisoners, however, and increased exertion to get more coolies, as well as by sending those now employed to this part on the completion of the work on which they are at present engaged, I hope and think the executive engineer will be able to complete this section sufficiently early to be of use for this season's traffic.

14. Should he from any cause be prevented from doing so, it is a fortunate circumstance that the unfinished part will lie north of the Hyderghur Ghaut Junction, and that this branch can, therefore, be made available for communicating with Beitkool.

15. South of Amadully to the Bellikerry river, the 2d company of sappers and miners, and about 1,000 coolies are now employed, and will, I trust, finish the work, which is mostly over hilly ground and in siding section, in a month, and they can then be transferred to the northern part of the line.

16. The Bellikerry river is the only stream of any importance which intersects the road. It is 240 feet wide, has a hard bottom (shingle), and is perfectly fordable at half tide at ordinary springs; it has $3\frac{1}{2}$ feet of water in it, and at low tide only about 9 inches.

17. On my visit to this ford, I took borings of the bed to enable me to determine the description of bridge most applicable to the case, and I have ordered the erection of a timber bridge on piles. This, I hope, will be ready in three months from hence; at least I can see no reason why it should not. In the meantime, and until the river fills in the monsoon, there is no impediment whatever for laden carts at the crossing.

18. From the Bellikerry ford to the junction with the Ankola line the road has been completed with drains, except at one inconsiderable nullah, and with moorum surface; this part has been very well done.

19. The total length of the line is about 18 miles, of which about six miles are over hilly ground, and 12 miles over level land, mostly rice fields. Twelve miles have been completed or are in progress, and six miles have yet to be taken in hand. On the whole distance, two companies of sappers and about 2,200 coolies were working when I passed along, and I hope there will shortly in addition to this be 700 convicts, numerous carts, and a considerable reinforcement of coolies. With this force the whole ought to be finished at least as soon as the Manchester Cotton Company, or Messrs. Nicol & Co., are prepared to receive cotton at Beitkool.

20. The road from Ankola to the top of the Arbyle Ghaut was constructed some years since, and is a very good fair-weather road as far as the village of Houbulibyle, or for a distance of 15 miles from the junction of the new road to Beitkool. Up to this village there is no made surface and few drainage works; the line is merely cleared.

21. On this part one considerable river and several formidable nullahs are met with, over which I have directed the executive engineer to lose no time in throwing timber bridges. At the smaller streams a good deal of material has been collected, which I have ordered to be used up into drains and small bridges. I have also instructed Captain Baker to get a surface on some of the worst parts as soon as he can.

22. On this section a few masons and about 100 coolies are now at work. The prevalence of fever has prevented the collection of a larger party, but I hope this force will be largely increased shortly.

23. From the junction with the Coomta road the line is, generally speaking, in very fair order, and quite capable of carrying a considerable traffic. Nearly all the nullahs are bridged. Perhaps the worst part is the ghaut itself, which, towards the bottom, is without a surface and soft; it has, however, the easiest ascent I have seen along the western range; true, it has here and there gradients of 1 in 16, but in other parts they are less; in places it is nearly level, and there are even counterslopes. It follows the crest of a long spur the whole way, and crosses little or no drainage; and on it there is very little earth, and no rock cutting.

24. Captain Baker has been making great efforts to procure coolies from Coondapoor and the south for the improvement of the Arbyle line, but as yet with very partial success. Two parties of 50 men each only started for the work; of one party only 14 men arrived, the rest having returned, owing to the reports of fever that met them on the road; the other arrived with nearly the full strength; but I very much fear that it has, within the last few days, deserted. Such difficulties are very trying to the executive officer. 1,000 men for a month would do all that is needed to the line; and I still hope that this number may be collected. If not, though the road will not be as convenient as it might be, it will still be easily passable in the dry season.

25. I have now taken my laden carts down the Kyga Ghaut to the head of the navigation of the Kallee Nuddee, and I have brought them up from Beitkool by the Arbyle line, without difficulty and without assistance of any kind on either route. The carts have travelled, generally speaking, on dark nights; and the facts I report will give a good general idea of both approaches as they now are, and previous to the improvements we hope to make and are making.

26. I have not troubled you with copies of my instructions to Captain Baker in reference to this line, or to the Sedashegar harbour works, they have been given in many and some voluminous letters which you would probably have neither time nor inclination to read through.

RESOLUTION OF GOVERNMENT.

Lieutenant-Colonel Kennedy to be informed that Government are gratified by the receipt of this report, and that they consider great credit due to him and to Captain Baker for the exertions they have made. The Governor in Council sympathises with the disappointment they must feel at the delay caused by the unlooked-for sickness; but this was an unavoidable obstacle, and it is to be hoped will disappear as the season advances.

2. The Hydrughur branch should be kept in order as a permanent branch of much local value, even when superseded as a main line by the road, *viâ* Bhinghy Bay.

To the Chief Engineer at the Presidency.

(With reference to his Memo. No. 1950 of 26th December 1862.)

The Revenue Commissioner, S. D.

EXTRACT from the Proceedings of Government in the Public Works Department, No 19, dated 8 January 1863.

Read the following papers:—

LETTER from the Executive Engineer, *North Canara*, No. 1966, dated 10th December 1862.

I AM sorry to report that, owing to cholera on the coast, and fever on the ghauts, my supply of labour will not be anything like so large as I expected. On this point I report more fully in a separate communication; the object of this letter is to ask for more prisoners. I understand from Captain Ker that he has only lately broken up a gang, and that the number of men he has returned to the gaols at Poona, Nuggur, and Sholapoor is about 400. He also tells me that there is a considerable body of men available in the Tanna gaol. The deputy gaoler in charge of the Dharwar gang states that there are still about 350 men in the Dharwar gaol, and I have no doubt a few may be obtained from Honore. I wish to have every one of these men; in fact, every convict in the Presidency who is not positively unfit for out-door labour. With an officer in charge of each gang of 500 men, I am prepared to employ, and wish to have the 3,000 convicts alluded to by Sir G. Clerk in his Minute on Sedashegar.

2. It is absolutely essential that all commissariat arrangements be made in Dharwar and Belgaum.

3. I beg

3. I beg to bring prominently to your notice the question of the monsoon head quarters for the prisoners. I do not see why they should not be huttet at Sedashegar next monsoon. During the breaks they might do a great deal of work, which would go far towards our having first-class roads completed next season. I would put them in separate encampments, of about 500 each, at Konay, Beikool, and Bhinghy. The only difficulty I see is the keeping up a constant supply of provisions in the monsoon, and this, I think, may be got over by sending it down from Bombay in steamers once a month.

4. Should Government approve of this arrangement, I trust they will provide us with proper medical aid, the apothecary now in charge of Beikool is so sick and decrepid that he can hardly move, and this morning a bullock cart has passed my camp to take him to Dharwar, so that in a few days there will be no medical aid at Beikool. A civil surgeon is absolutely required during the monsoon, even if he is moved away after it.

5. Barracks must be built for prisoners and for guards, and they cannot be built on the spur of a moment; I beg therefore for immediate orders on this most important question, "Where are the prisoners to reside during the monsoon of 1863?"

MEMORANDUM, No. 3389, dated 16th December 1862, from the Superintending Engineer, Southern Circle.

Forwarded to the Chief Engineer.

IF any more prisoners are available, they should be sent to North Canara, for, owing to the failure of the supply of free labour, without the assistance of a large body of convicts, it will be impossible to push on the works as speedily as it is desirable to do.

2. It is a great pity that Captain Ker's gang was broken up. The superintending engineer was under the impression that the difficulty of procuring workpeople in Canara was known and appreciated. This gang should be re-collected, and sent with all available prisoners from Dharwar, with as little delay as possible, and officers should be appointed to assist Captain Ker in the proportion of one to every 500 prisoners.

3. In respect to monsoon quarters for the convicts, the superintending engineer recommends that Captain Baker's proposal to locate them at and about Beikool be approved of. Under Captain Ker's general management they will do good service there and be profitably employed, and the experience of the sappers company last rains shows that the place is not unhealthy at that season.

4. As to the application in Captain Baker's 4th paragraph for a civil surgeon, I would observe that Dr. Forbes, the superintendent, if assisted by a good apothecary in minor cases, may possibly be able, in addition to his other duties, which cannot be heavy, to undertake the medical charge of the station in the same way that the superintendent of Mahableshwar does.

RESOLUTION OF GOVERNMENT.

1. THE several session judges should be asked, through the Judicial Department, how many able-bodied convicts, who have not less than four months of hard labour sentence unexpired, they can spare for North Canara, and be ordered to hold them in readiness.

2. At the end of the season, prisoners whose term of sentence will expire before the opening of next working season may be sent back by steamer, if the superintendent of convicts approves. It is possible that some of them may be willing to stay on as free labourers, if well paid. The superintendent of convicts should be empowered to retain such men on wages in a reformatory gang, apart from the prisoners.

3. All Captain Baker's proposals for hutting the convicts at Sedashegar in the monsoon are approved.

4. The commissariat should be instructed to give any aid required in feeding or provisioning which the executive engineer or superintendent of convicts may require, without further reference for sanction.

5. The principal inspector general, medical department, should be requested to make arrangements for supplying Mr. Carvalho's place, and asked whether an assistant surgeon can be spared, as it has been decided that Dr. Forbes should not be required to take medical charge, as it might interfere with his other duties.

6. The deputy inspector general of hospitals, Southern Division, should be instructed personally to visit the district to which the fever appears to be extending, to report minutely the result of his inquiries as to the cause of the epidemic, and the best mode of checking it.

7. Inquiries should also be made whether any of the Persian barracks are available, and if any, how many?—so that they may be sent to Sedashegar for the prisoners, if required during the rains.

To The Chief Secretary to Government, Judicial Department.
 The Secretary to Government, General Department.
 The Secretary to Government, Military Department.
 The Chief Engineer at the Presidency.
 The Revenue Commissioner, Southern Division.

EXTRACT from the Proceedings of Government in the Public Works Department, No. 20,
 dated 8 January 1863.

Read the following papers:—

LETTER from the Executive Engineer, *North Canara*, No. 1972, dated
 11th December 1862.

I AM very sorry to report that about sixteen hundred (1,600) Konkun coolies have left the Kyga Ghaut, and that there are now only about two hundred (200) Canara coolies on the ghaut, 50 per cent. of whom are unable to work through sickness.

2. It appears that owing, perhaps, to the late storm and the strong land wind since prevailing, the number of sick out of 1,800 men rose suddenly from 120 to about 900. Still no one left the work till one man died; two others died immediately after, and in one night 400 men deserted, the remainder following them in the next two days.

3. I have learnt from Mr. Eppinger, at Kadara, that his coolies also deserted at the same time and from the same cause. Out of 60 women carrying bricks 35 were sick; of 14 Salem carpenters only six were at work, and he stated to me that the value of work done by his people hardly paid for the medicine used. Yet Mr. Eppinger houses all his people comfortably, and gives them regular pay.

4. This desertion is most unfortunate. It was with great difficulty these men were induced to come to Canara, owing to its reputation for fever. Had they remained well we might have counted on them and others every year; as it is, I fear, we must look for Canara coolies alone to do all the work.

5. The opening out the approaches to Sedashegar will, therefore, be a work of time.

6. I forward copy of a letter from the contractor on the subject; he is unwilling to give up his contract, and though he admits that it is hopeless to expect the remainder of his men from Vingorla, he hopes to be able to do something with coolies of this neighbourhood.

7. I doubt now whether he will be able to do anything to speak of; still, if he can only muster 500 men, he may do something. At any rate there will be a nucleus on the ghaut, and others may come from the villages east of Mullapoor, who will not work on the Ankola line. I would suggest that he be allowed to keep on his contract till the 1st January next, when, if he is still unsuccessful, we may close his contract, and see what can be done departmentally.

8. It is now impossible to make a proper road from Iddagoonjee to Mullapoor this season. Still I am very unwilling to stop the work altogether. The prisoners are now at work on the reverse slope of the ghaut; if they keep their health they may widen out the ghaut itself.

9. Though the sickness is worst below ghaut coolies will not come more than two miles up, preferring to work near their villages. They might open out the lower portion of the ghaut, leaving the upper part to the prisoners. If the prisoners get sick I fear the ghaut work must be almost stopped.

LETTER from the Superintending Engineer, Southern Circle, No. 3405, dated
 18th December 1862.

It is with extreme regret that I forward a communication received from the executive engineer, *North Canara*, reporting the desertion from the Kyga Ghaut of all the foreign labour, collected with so much trouble for that work.

2. You will have learnt, from my No. 3316 of 1862, paragraphs 6 to 9, that I was not altogether unprepared for this event, but I did not anticipate its happening so suddenly and completely, or that the men would leave, as they appear to have done, *en masse*.

3. Not

3. Not only have those who came to Canara left it, but they have, according to private information I have received, stopped the progress of others who were coming.

4. The working party on the ghaut is now reduced to about 200 men belonging to the district, many of whom are sick; and as it is not practicable to increase the force to any material extent, the opening of the Kyga this year is, I believe, perfectly hopeless.

5. Most of the labour that this part of North Canara affords is employed on the Arbyle, Ankola and Beitkool line, which must first be attended to; and, under the circumstances, it is not to be expected that the foreign labour can be re-collected.

6. The circumstance I report is most unfortunate; for not only shall we lose the season, but I very much fear we shall never again succeed in persuading coolies of the neighbouring districts to trust themselves in Canara after the present year's experience.

7. The unusually unhealthy state of North Canara this year may probably be attributed to the lateness of the monsoon and the most unseasonable fall of rain, which occurred about the 22d of last month. Be the cause, however, what it may, the fact is indisputable, that the state of the country is most deplorable, and such that it can hardly be expected that men who can leave it will remain in it; any increase of wages, which are already very high, would probably be useless to induce them to come, and would certainly fail to keep them in condition for active labour if they did come.

8. With few or no exceptions the officers and subordinates of the department are suffering. Captain Baker is very ill, and Lieutenant Doveton, in charge of the Beitkool and Ankola road, is frequently prostrated, as I have just had personal opportunity of observing.

9. I have instructed the executive engineer to let the contractor proceed with the ghaut, with whatever number of men he can get, and keep. I have also instructed Captain Baker to assist him as much as possible in collecting men. Whatever little can be done is so much gained, even though it be far short of the completion of the whole.

10. I have given orders that the work is to be so conducted as not to obstruct the ghaut, which, as you are aware, is already passable for a single line of carts, by regulating the up and down traffic to certain times of the day, as was done at the Devee Munnee Ghaut when that road was first opened on a narrow trace; the Kyga may still be made use of if needed.

11. I have ordered the Dharwar gang of convicts down to the Ankola and Beitkool line of road, for it is now doubly necessary to make sure of that approach, and on it at present there is not a sufficient force of labour; added to this, I think it better to remove the prisoners from the unhealthy neighbourhood of the ghaut, and to locate them near the sea coast where fever, though it exists, is not so prevalent.

12. The work the prisoners could do above the ghaut would be useless unless the ghaut itself is complete, nor would it be of any avail by the aid of the prisoners to open out merely a part of the ghaut. They could not with the assistance of a small amount of free labour do anything like the whole.

13. Efforts will not be relaxed to get together again a body of men on the ghaut, but it is better at once to say that any but a partial success in this respect is now highly improbable.

14. Much, however, as the delay to this work is to be regretted, it is fortunate that the impediment is on it, and not on the Arbyle and Ankola line. There is every prospect that with the latter we shall be successful, and cotton may be delivered when it is most wanted in Beitkool harbour. Access to the head of the Kalla Nuddy navigation by the Kyga, though of importance, is of less consequence.

15. I have already addressed the Secretary to Government demi-officially, requesting him not to send the two small steamers intended for the navigation of the Kalla Nuddy, for they would now only be a useless incumbrance.

MEMORANDUM from the Chief Engineer at the presidency, No. 1967, dated
27th December 1862.

I COMMUNICATE the accompanying papers with regret, but from a private letter which I saw from an agent to a mercantile house at Kadara, I was not unprepared to receive bad news.

I believe the only plan will be to suspend all work on the Kyga Ghaut till the hot weather, and never to commence it again during the fever season.

TELEGRAM, dated 27th December 1862, from the Superintending Engineer, Southern Circle.

BAKER very ill, has applied for relief; it is essential that an experienced and energetic officer be sent to Canara with the least possible delay. Please communicate to me by telegram the name of the officer and date of his probable arrival at Sedashegar.

Resolution.—Captain Baker to be relieved of his duties as executive engineer North Canara, by Captain Maunsell, Royal Engineers, now executive engineer, Kurrachee, and the latter officer to give over charge of his office to Captain Cotgrave, Royal Engineers, who will perform the duties of executive engineer, Central Sind and Kurrachee, till further orders.

2. Lieutenant Colonel Kennedy to be informed that Government deeply regret the unavoidable impediments which have come in the way of completing the Kyga Ghaut, and fully appreciate the exertions and devotion to their work, both in health and sickness evinced by Captain Baker, Lieutenant Doveton, and himself.

To The Chief Engineer at the Presidency.

The Chief Engineer in Sind.

The Revenue Commissioner, Southern Division.

— No. 35. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, dated 26th February (No. 6) 1863.

Sir,

1. I HAVE received and considered in Council your letter No. 2, dated the 13th of January 1863, in the Public Works Department.

2. Her Majesty's Government have learnt with great satisfaction that, from the time when the district of North Canara was transferred to the Presidency of Bombay, every exertion has been made to improve the port of Beitul, and to complete the communications between it and the districts of Dharwar, with the object of reducing the cost of exporting to England the cotton which is produced in those districts, and of thus conferring equal benefits upon the producers of cotton in the only district in India where experience has as yet proved that exotic cotton can be profitably grown, and upon the manufacturers of cotton fabrics in this country.

3. I have learnt, with great regret, that some of the works which were so energetically commenced have been unavoidably delayed by a severe outbreak of fever, and that Captain Baker has himself suffered from the same cause. I request that you will convey to Lieutenant Colonel Kennedy, to Captain Baker, and to his assistants, the cordial thanks of the Secretary of State in Council for their exertions.

4. I approve of your intention to propose to take off the hands of the Manchester Cotton Company, Limited, a small pier erected by them near their land, reimbursing them for any reasonable expenses which they may have incurred in its construction.

5. The Company have, since the date of my Despatch of the 13th of November last, sent to me in Council a "Statement of Claim for Compensation," a copy of which, and of the reply which I have directed to be made to the Company, is enclosed for your information.

6. I am satisfied that you will afford to the Company the same assistance which I am assured that you, and the local authorities on the spot, are anxious to give to all those who have undertaken to develop the trade which will, I trust, soon commence in the new port of Beitul.

I have, &c.
(signed) C. Wood.

Enclosures in No. 35.

To the Right Honourable Sir *Charles Wood*, Bart., M.P., Her Majesty's Secretary of State for India, &c.

1, Newall's Buildings, Manchester,
26 January 1863.

Sir,

At a meeting of the directors of the Manchester Cotton Company, limited, held on Friday, the 23rd instant,

It was unanimously Resolved—

“That the Statement of Claim for Compensation from the Indian Government, &c., submitted to this meeting, be forwarded to Her Majesty's Secretary of State for India.”

Enclosed I beg to hand you the statement referred to in the above resolution, and respectfully request that you will favour the directors by giving your earliest attention to the claim now submitted.

I have, &c.
(signed) *Hugh Mason*, Chairman.

STATEMENT OF CLAIM for COMPENSATION from the Indian Government by the Manchester Cotton Company, Limited.

1, Newall's Buildings, Manchester,
24 January 1863.

1. In March 1861, the provisional directors received a letter from Dr. Forbes, dated 5th of that month, urging the necessity for the formation of a private company, to undertake the construction of a pier in Beiteul Bay. Steps were immediately taken with a view to the formation of this company. But Dr. Forbes, in an interview with the directors, on the 26th March 1861, stated “that Sir Charles Wood had expressed his intention to obtain the sanction of his council for the construction of a pier for commercial purposes at the harbour of Sedashegar.”

2. All further action for the formation of the company for the construction of the pier was consequently suspended.

3. At the next meeting of the directors, held 2nd April 1861,—“The secretary was instructed to write a letter to Sir Charles Wood, acknowledging his offer to construct a pier at the harbour of Sedashegar, and to request that the work might be pushed forward coterminously with the preparations of the company to commence operations in 1862.” The following is a copy of such letter:—

“The Right Honourable Sir *Charles Wood*, Bart., M.P.

“Sir,

“3 April 1861.

“I AM directed to inform you that the directors of the Manchester Cotton Company, limited, have learned with great satisfaction from Dr. Forbes, that the Indian Government has expressed its intention to construct, for commercial purposes, a pier at the harbour of Sedashegar, instead of requiring the same to be undertaken by private enterprise.

“As this work will prove of essential utility to the operations of this company, they will be glad if you will favour them by stating how soon it is probable the pier will be constructed, or whether there is a prospect of its being ready for shipment of the cotton crop of 1862. The directors will despatch cotton presses, machinery, and an iron press-house to the port of Sedashegar, in the course of a few weeks, and they wish, therefore, to urge the desirability of the construction of the pier proceeding simultaneously with the preparations they are now making for opening the cotton trade at that port.

“I have, &c.
(signed) “*G. R. Haywood*, Secretary.”

4. From this letter it is quite clear that Sir Charles Wood was fully informed of the intention of the directors to despatch machinery, &c. to Sedashegar, in the course of a few weeks from the date of that letter, 3rd April 1861.

Moreover, so satisfied were the directors, from the statements made to them by Dr. Forbes, that no reasonable doubt existed “as to the pier being ready at Beiteul, by the time of the arrival of their first ship,” that at the same meeting it was arranged “that the chairman be requested to take the necessary steps, forthwith, for procuring a suitable cotton press, and an iron house, to be despatched to Sedashegar, and to report to an early meeting.”

5. The following reply to the secretary's letter was received from Sir Charles Wood, dated 12th April 1861 :—"I am directed to acquaint you that the Madras Government, in a letter dated 16th May last, intimated its intention to construct a landing and shipping pier at Sedashegar during the present year (1861), adding that it would be ready in time for the road down the Kygah Ghât, leading direct to the harbour."

6. Sir Charles Wood, however, in his letter to Mr. Mason of the 5th November 1862, states that, "since I saw you in London, I have inquired further as to the pier and wharves, and discharge of the workmen which Mr. Haywood mentioned.

"The engineer on the spot was much to blame about the pier, as he had not determined the site long after it had been ordered. In one respect it is well, for the site originally contemplated, near the mouth of the Kala Nuddee, clearly would have been wrong.

"In the autumn of last year (1861), Sir W. Denison determined to substitute wharves for a pier, and the works for them were begun, and men collected and set to work. It was found, however, that the men were incompetent to perform the blasting required on the site of the rock, and it was thought more important to push forward the road up the ghaut, and the fact is, not that works were put a stop to altogether, but the road was preferred to the wharf.

"That the roads were insufficient, and that they did not come down to the proper terminus, I frankly admit, as well as that a proper landing place has not been made. Whether all has been done that might have been done, is more than I can say; but I am inclined to believe that everything has been done that was possible with the labour and means (practical means) which they could obtain. The Manchester Cotton Company, you must forgive me for saying, were precipitate in their proceedings. They sent out their articles without ever asking, even at the India Office, what preparations for landing goods had been made. I heard of the arrival of the ship before I heard of the intention of sending it. I saw Mr. Haywood before he went, and I never dreamt of anything being sent from home to Sedashegar, till we had heard from India that something was prepared for the reception of the articles. Indeed, it seems to me that the want of communication has led to more than this one evil. I certainly should not have encouraged sending heavy and expensive articles to Sedashegar.

7. Mr. Platt (late chairman of the company) affirms that Sir Charles Wood distinctly promised that the pier and road should be completed by the time of the arrival of the machinery intended to be sent out, namely, the end of the year 1861.

8. Under these circumstances, the Government cannot plead ignorance, either as to its own promises or as to the intentions of the company to send out machinery, as per letter 3d April 1861, and Sir Charles Wood's letter of 12th April 1861.

9. In confirmation of the fact that the arrangement with the Government was considered absolutely reliable, it may be stated that Dr. Forbes was present with Mr. Chadwick and the secretary, and assisted them in drawing up the instructions, dated 28th June 1861, under which Mr. Haywood proceeded on his mission. Those instructions contained the following clauses :—

10. That, after visiting Bombay in October 1861, he should "proceed to Sedashegar, and report home to the directors as to the condition of the harbour, the progress of the pier, and the site of the press-house; also that he should traverse the line of road now (June 1861) in course of construction from Sedashegar to Bunkapoor, and report the progress already made."

11. From these clauses it is evident that not only the directors, but Dr. Forbes himself, who was in constant communication with the India Office in London, were all perfectly satisfied that the works were then actually in progress.

12. Up to the present hour not one stone has been laid for the pier, nor has its site been determined. Up to the present hour the road promised is still far from completion.

13. The question now is, what damages the Manchester Cotton Company has sustained, in consequence of the derangement of the plans adopted by them on the faith of their agreement with the Indian Government?

14. Had the pier been completed by the end of the year 1861, as promised by the Indian Government,—

1. The company's agents would have been able to unload their machinery, and place it at once upon their own land, instead of having to land it on the opposite side of the bay, whence it has again to be brought over, at very great expense.

2. The company would not have had to construct a temporary landing place under Carwar Head (one mile from the company's land), employing labour upon work which could otherwise have been directed to preparations for erecting their press-houses.

3. The company would have been spared the absolute necessity of constructing, as it has done, a pier on its own account, for the purpose of thus transferring the machinery now lying on the other side of the bay.

4. The

4. The machinery thus landed and relanded, under great disadvantages, has, consequently, sustained considerable damage.

5. Other capitalists, native and European, besides the Manchester Cotton Company, would have been prepared to avail themselves of the advantages of such pier, and their presence at Beitul would have led to business communications with the company.

Had the road from Beitul to Dharwar been ready, as promised, by the end of 1861:—

The agents of the company, having a good road to the interior, would, six months ago, have despatched from Sedashegar a number of cotton gins, presses, and other machinery, to the Dharwar district, and the operations of ginning and pressing would have already commenced, instead of which these gins, presses, &c., have, for more than six months, been lying idle and unproductive at Beitul; the workmen also, who reached Beitul on the 5th May 1862, and who should have gone up country to work them, have been detained at Beitul, to assist in the laborious and unprofitable task,—

1. Of landing the cargo on a distant beach, and of relanding it at its proper destination.

2. Had these men commenced the establishment up country, as originally arranged, the natives in the interior, seeing proof before them in the arrival of such machinery of a trafficable road, would unquestionably have commenced sending cotton carts down to Beitul instead of Coompta, 50 miles further down the coast. European-Bombay houses would certainly have done so, and, instead of a barren harbour, we should by this time have witnessed the commencement of a profitable trade, and our presses would all, or most of them, by this time have been at work.

3. The fact of the road being open, would have attracted great attention in Bombay; both Bombay and Coompta merchants would, ere this, have effected arrangements for pressing cotton at Beitul and shipping it direct to Liverpool, rather than continuing the present expensive system of carting cotton to Coompta, loading their pattimars in an open roadstead, freighting and insuring to Bombay, distant 250 to 300 miles, again unloading there in open boats (as there is no pier even at Bombay), carting to the presses, carting back again, conveying the pressed bale in open boats to the vessel which, on its way to Liverpool, would have to return past both Sedashegar and Coompta.

4. Had the company been in a position to purchase and cart cotton to Beitul for pressing and shipment, at the time originally arranged for with the Government, it is impossible to estimate the profits which might have accrued to the company from its purchasing, cleaning, and pressing operations. All this is a clear loss to the company.

5. As there is no instance on record in India of a good road being opened, which the natives have not eagerly availed themselves of for traffic, so it may fairly be assumed that not only cotton, but numerous other products, would have already been exported from Beitul to Bombay, seeing that Beitul is so much nearer to Bombay than Coompta, and that the bay affords perfect shelter and safe anchorage for native craft, as well as to the largest steamers and merchant vessels.

6. Native traders from the interior thus visiting Beitul, would have seen the machinery sent out by the company, and customers for them would have been readily found. Their return carts would have conveyed such machinery to the interior, and a trade for the company would have been already established.

7. Had the road been completed, there is little doubt that a tramway company would, ere this, have made arrangements for opening a line of traffic from Beitul to Dharwar, to the immense advantage of the company, and all other mercantile interests concerned.

The failure in the promises of the Government in the non-completion of the road and pier has seriously injured the company:—

1st. Directly, in entailing heavy loss. In the outlays necessary for the works already described, namely, in preparing a landing-place for the cargo of the "Seringapatam," a mile away from the company's establishment, in the purchase of materials, in wages of European and coolie workmen, and for the construction of the company's pier.

2d. Directly, in the loss of trade, the loss of employment both of the company's cotton gins and presses, and the loss also of the sale of its machinery.

3d. By the great and incalculable injury done to the reputation of the company through the delays thus occasioned, both in India and in this country.

No contract between two parties was ever more clear in its terms, than the arrangement made by the Government on the one hand, and by this company on the other, that a pier and road should be constructed, in order that the enterprise of Lancashire should, for the first time, have free access to the cotton fields of India, with a view to remedy the defects

which now exist in the system of conducting the growth, preparation, and export of Indian cotton for the markets of this country.

One important further consequence ought not to be forgotten. That, as this company was intended to demonstrate that the Government was prepared to render every facility to such enterprise, and that such enterprise would be profitable, the difficulties which this company has had to contend with will tend to deter other capitalists hereafter from embarking in similar undertakings. The consequences are, therefore, national, and not merely confined to the company.

The directors of the company, therefore, on behalf of their shareholders, having fully considered and estimated the losses they have incurred, are of opinion that they are fairly entitled to claim from the Indian Government compensation in the sum of 20,000*l*.

(signed) *Hugh Mason,*
Chairman.

To *Hugh Mason, Esq.*

India Office, 19 February 1863.

Sir,

1. I AM directed by Sir Charles Wood to inform you that the "Statement of claim for compensation from the Indian Government (in the sum of 20,000*l*.) by the Manchester Cotton Company, limited," which was enclosed in your letter of the 26th ultimo, has been taken into his consideration in Council.

2. This claim is founded upon the assumption that a promise was given by the Home Government of India to the Manchester Cotton Company, "that a pier would be completed at the port of Beiteul, and that a road from Beiteul to Dharwar would be ready by the end of the year 1861."

3. I am directed by Sir Charles Wood to state that he is satisfied, for his own part, that he never gave any such promise to the company, and that having carefully considered in Council all the transactions which have taken place between the Government and the company, he does not find anything in them from which such a promise could be implied.

4. It is asserted in the "Statement of claim," that "Mr. Platt (late chairman of the company) affirms that Sir Charles Wood distinctly promised that the pier and road should be completed by the time of the arrival of the machinery intended to be sent out, namely, the end of the year 1861." Mr. Platt has apparently conveyed to the directors the impression which he retains of a conversation which occurred at an interview between Sir Charles Wood and a deputation from the company in the spring of 1861. Sir Charles Wood is, as I have stated, confident that he gave no such promise.

5. At that interview, the deputation explained to the Secretary of State the views and objects of the company. These objects were, as Sir Charles Wood understood them—

1. Bringing European agency to bear more directly on the purchase of cotton in the interior.

2. The formation of an establishment at the port of Beiteul, similar to those which were contemplated at the time by merchants of Bombay.

And, in reference to the latter point, they wished to ascertain the state of the port, and of any intended works there. The company had been informed by Dr. Forbes, who was at Manchester early in the spring of 1861, of the intention of the Government of Madras to construct a pier at Beiteul. It was, therefore, quite natural that they should inquire of the Secretary of State what were the intentions of that Government. The obvious answer to that inquiry was, to communicate to them the purport of the last Despatch which had been received from Madras. Sir Charles Wood had no other information in his possession. The Despatch stated the intention of the Government of Madras, but contained no particulars as to the site of the pier, or as to the preparation made by the Madras Government for its construction, which could enable Sir Charles Wood to form such an opinion as could be the ground of a promise on his part to other parties, as to the time of the completion of the pier. He gave the deputation the information which he possessed, and the nature and extent of that information is clear by what occurred immediately afterwards, for the interview was followed by a correspondence which appears in the "Statement of claim." In that correspondence no reference is made to a promise, and its contents are inconsistent with the supposition that such a promise as is alleged was given.

6. The interview took place on the 15th of March 1861, and on the 3d of April, apparently for the very natural purpose of having accurately in writing the information which had been given to them on the subject of the works at Beiteul, the company addressed a letter to the Secretary of State; this letter is inserted in the "Statement of claim," and in it the company, after expressing their satisfaction that the Indian Government intended to construct a pier at the harbour of Sedashegar, requested to be informed "how soon it was probable that the pier would be constructed," and "whether there was a prospect of its being ready for the shipment of the cotton crop of 1862," adding that they intended to

despatch

dispatch machinery to the port "in the course of a few weeks." The company were told in reply, by Lord de Grey's letter of the 12th of April 1861, that the "Madras Government, in a letter dated the 16th of May last," that is 1860, "intimated its intention to construct a landing and shipping pier at Sedashegar, during the present year" (1861), "adding, that it would be ready in time for the road down the Kyga Ghaut, leading direct to the harbour."

7. The same inquiry which had been made of Sir Charles Wood by the deputation, on the 15th of March, was made by letter on the 3d of April; and Sir Charles Wood could have given, and is confident that he did give, no other answer to the question on the 15th of March, than that which was given to the letter of the 3d of April. This was not a promise on the part of the Home Government, but simply a communication of the intentions of the Madras Government; at neither time did Sir Charles Wood entertain any doubt of the intention of that Government to construct both the road and the pier; but he had no means of judging of the probable time of executing either work, excepting from the Despatch of the Madras Government, the contents of which were communicated to the company.

8. Moreover, within a short time after this correspondence, a Despatch was received from the Government of Madras, containing further particulars of the progress of the road over the Kyga Ghaut. This information was immediately conveyed to Mr. Haywood, who is secretary both of the Manchester Cotton Supply Association and the Manchester Cotton Company, in Lord de Grey's letter of the 7th of June 1861, from which the following is an extract: "The Government (of Madras) promise that no exertion shall be spared to have the road completed throughout as early as possible; but this, they add, cannot be this year."

9. Thus it appears, not only that no promise was made to the company, "that a pier would be completed at the port of Beiteul, and that a road from Beiteul to Dharwar would be ready by the end of 1861," but, on the contrary, that, as respects the road, they were in possession of positive information that it could not be completed during that year. The Secretary of State for India in Council must, therefore, decline to admit a claim for compensation, which is based upon the allegation that such a promise was made.

10. It would, however, be a cause of great regret to Sir Charles Wood, if the directors, though receiving no promise from him, had, nevertheless, been misled by the expectations which they formed in consequence of the information communicated to them at the interview, and by the correspondence already referred to, so as to occasion considerable losses to the company. That this has been the case was stated by the deputation in November last, and is repeated in the present "Statement of Claim." But Sir Charles Wood is persuaded that no such losses have arisen from any cause for which the Government of India can fairly be held responsible.

11. With regard to the road, it is only necessary for me to refer to what has already been said, namely, that Sir Charles Wood, in June 1861, had communicated the announcement that the road from Beiteul to Dharwar could not be completed in the year 1861. Mr. Haywood, the company's agent, arrived at Bombay at the end of August 1861, and, therefore, with respect to the progress of the works in connexion with the port of Beiteul, the company from that time had ample means of knowledge through their own agent.

12. As regards the pier, the delay has arisen from the difficulty of deciding, partly upon the character, and partly upon the proper position, of the works for the improvement of the new port. It was first suggested that a pier should be built from Carwar Head. Next, in the summer of 1861, a site for a pier was chosen on the opposite side of the bay, between the land now occupied by the company and the village of Konay; but the experience of the monsoon of that year, and further information as to the depth of the harbour, led Sir William Denison, when he visited the port in October 1861, to substitute for the proposed pier wharves under Carwar Head on the western side of Beiteul Bay, near the site first proposed for the pier. Upon further consideration, the wharves were commenced by the Government of Bombay on the eastern side of Beiteul Bay, near the premises of the company. Cargo boats will be able to lie alongside of them, large vessels will be laden in perfect safety at moorings in the immediate vicinity; and Sir Charles Wood is informed that a sufficient length will be completed during this season to accommodate all the shipping or cargo likely to come to Beiteul in the course of the present year.

13. It is also considered desirable to construct a pier, alongside of which large vessels may load and unload. The site of this pier has only recently been settled, in consequence of doubts which have been entertained as to the effect of such a pier upon the silting up of the harbour, and also because considerable differences of opinion existed among the merchants and those interested in the trade of the port as to the exact spot which should be chosen. A site has at last been selected, with the concurrence, as Sir Charles Wood is informed, of all the parties on the spot. The necessary plans have been prepared, and arrangements are being made for the construction of the pier; but it cannot be commenced until after the coming monsoon.

14. The directors complain that the company has suffered considerable loss, in consequence of no pier being ready when the "Serlingapatam," with their machinery, arrived

at Beitcul. I am to observe in reply, first, that the directors do not themselves appear to have relied on the assistance of a pier in order to disembark their machinery, for, when on the 3d of April 1861, they expressed their intention to send out machinery "within the course of a few weeks," they must have expected the ship conveying it to arrive at Beitcul before it was possible, or supposed by any one, that a pier could have been ready; and, secondly, that, in fact, although no pier was ready when the "Seringapatam" arrived at Beitcul, the cargo was safely landed, by the assistance of Government officers, very nearly at the spot originally selected for the pier at Carwar Head, and with no other delay than was occasioned by the failure of certain appliances provided by the company for raising the heavier weights, a deficiency which was supplied from the Government stores.

15. The directors further allege that considerable loss has been occasioned because the machinery was landed under Carwar Head, and had afterwards to be transhipped to the land occupied by the company, on the opposite side of Beitcul Bay. Upon this point, Sir Charles Wood is informed that the necessity of landing the cargo under Carwar Head arose entirely from the near approach of the monsoon at the time of the ship's arrival, and that, if the directors had dispatched the ship earlier from England, or if preparations had been made by the company's agents in India to shelter the cargo on their own land, it might easily have been landed and stored there. Consequently, for any loss arising from the goods being landed under Carwar Head, and subsequently transhipped to the other side of the Bay, the Government cannot be held responsible.

16. The directors, in their interview with Sir Charles Wood in November last, represented that the company had been put to considerable expense in the construction of a pier near their own premises, and requested to be reimbursed for their outlay. Sir Charles Wood is informed that this pier is a very small work, "inferior apparently to what other firms propose to erect on their own premises, at their own expense, and on their own account." But, in order to obviate any ground of complaint on this score, the Government of Bombay propose to take it off the company's hands, reimbursing them for all reasonable expenditure upon it, and Sir Charles Wood has sanctioned their doing so.

17. In the next place, I am to advert to the complaint of the directors that "had the company been in a position to purchase and cart cotton to Beitcul for pressing and shipment, at the time originally arranged for with the Government, it is impossible to estimate the profit which might have accrued to the company from its purchasing, cleaning, and pressing operations. All this," the directors add, "is a clear loss to the company."

18. Sir Charles Wood cannot conceal from the directors the surprise with which he has perused this statement. The company's ship "Seringapatam" arrived at Beitcul on the 6th of May 1862; and it would, therefore, have been simply impossible for the presses to have been erected and set to work during the fair season of that year. Indeed, there was barely time to land the machinery before the monsoon set in. If any doubt could be entertained that this is an accurate statement of facts, it would be removed by the report given by Mr. Haywood, the company's agent, to the same effect, which will be found in his letter dated Bombay, the 11th of February 1862, addressed to the Secretary of the Company at home, and which is as follows:—"I learn that there is no probability of the 'Seringapatam' arriving under four months. This will bring her to Sedashegar about the middle of April, as she left, according to your letter, about the 10th or 12th of December. The rains commence about the 10th of June, so that we have only two months, or thereabouts, for unloading and erecting the buildings, before the rains set in. It is evident, therefore, that no actual work can be done this season."

19. So far, therefore, from there being any ground for the complaint of the directors, that the operation of pressing has been delayed from the disappointment of any expectations which may have been entertained of the condition of the Government works in the spring of 1862, it is clear that the company's machinery did not arrive in time to be used in the season of 1862.

20. As regards the purchase of cotton, it always appeared to Sir Charles Wood that the most important branch of the objects of the company was that of bringing the English purchaser of cotton into more direct communication with the Native grower. In their prospectus it was announced to the public, so far back as February 1861, that "the support already given to the company warrants the directors in at once commencing operations in India, in the Dharwar, Bellary, and the adjacent districts, where cotton of excellent quality is available for purchase." It was more especially in order to further this operation that the services of Dr. Forbes were placed at their disposal, and the company was thus put by the Government in a position of peculiar advantage over other traders. Dr. Forbes was intimately acquainted with the cotton districts in Dharwar, and possessed the confidence of the people, and he accompanied Mr. Haywood, the company's agent, to the cotton-producing districts.

21. Dr. Forbes himself was fully alive to the importance of this object. He states that, when he left home with Mr. Haywood, it was on the distinct understanding that full powers had been conferred upon that gentleman to act for the company with respect to the purchase of cotton, as well as all other matters in which its interests were concerned, with the command of ample funds for all these purposes; that he had impressed upon the cotton growers of

of Dharwar the advantage of dealing directly with Europeans, and the arrival of the Manchester Cotton Company's agent was anxiously looked forward to; that, on his arrival in company with Mr. Haywood, in November 1861, the holders of cotton, as well as the prospective owners of the coming crop, flocked around them, stating that, though other merchants were in the market, they had awaited their arrival, and offered their cotton for sale. Mr. Haywood could not then be induced to purchase; but, as it was known that they intended returning about the following February, many of the cotton dealers offered to reserve their crops unsold until that time, provided Mr. Haywood would promise to buy; this, however, he could not do, his original discretionary powers to purchase having been withdrawn. Dr. Forbes adds, that the market was then most propitious; and that had Mr. Haywood but purchased even a portion of what he could have got, the company would have realised very large profits. This statement is entirely corroborated by Mr. Haywood in his letter to the company of the 11th of February 1862, in which he says:—"Had I been in a position to purchase in November, I could have secured a large quantity of good cotton at rates which would now have realised very large profits."

22. This operation was not dependent on the opening of the port of Beiteul for trade during that season. The company were precisely in the same position as other merchants who have, as Sir Charles Wood understands, made large profits by buying and exporting cotton during that year. For this abandonment of one of the original purposes of the company, of that which was the most important in the first instance, and by which it appears that large profits might have been secured to the company, the Government is certainly not responsible.

23. Having thus disposed of the allegations contained in the "Statement of Claim," I am directed to call the particular attention of the directors to a complaint, which has more than once been made by them, that sufficient information as to the intentions of the local Government, with respect to the works at Beiteul, has not been furnished to the agents of the company. Sir Charles Wood is informed by the Government of Bombay, that the officers of the Government on the spot have always been ready to give to the agents of the company every information and assistance, but that the latter have not freely communicated with them; and, moreover, that the Government of Bombay "can find nothing in the records, in the shape of a complaint made by the agent of the company against the local authorities, of a character similar to those laid before the Secretary of State in London."

24. Sir Charles Wood cannot but think that the course thus pursued by the Manchester Cotton Company and their agents, of refraining from making known to the local authorities any request or suggestion, but, after a considerable interval of time, addressing complaints to the Home Government, and publicly disseminating those complaints, is neither fair to the Government of Bombay nor to the energetic engineer officers employed in the district, who have been struggling under great difficulties, arising from disease and consequent desertion of their labourers. It is obvious, moreover, that it must cause very considerable delay in the removal of any cause of complaint, as the evil, instead of being made known to the officer on the spot, who might remedy it at once, only reaches him through the circuitous route of coming home to the company, being made known by them to the Secretary of State, being sent out by him to the Government of Bombay, and by them communicated to the officers employed at Beiteul.

25. Other firms on the spot are in the habit of constantly communicating with the local authorities upon all matters relating to the port; and Sir Charles Wood must beg to impress upon the directors of the Manchester Cotton Company (Limited); the importance in future of following the same course. The engineer officers have for some time had ample means of superintendence, and ample funds at their disposal for procuring all the labour which can be collected, and Sir Charles Wood can assure the company that any representation which may be made by their agents to the Government of Bombay, or to the officers of that Government, will be taken into consideration without delay, and with an anxious desire to further the interests of the company.

" I have, &c.
(signed) T. G. Baring.

— No. 36. —

PUBLIC WORKS DESPATCH from the Government of *Bombay*, dated
27 January (No. 5) 1863.

THE chief engineer at the Presidency has submitted to us a letter from the superintending engineer, Southern Circle, containing a report of his proceedings during his visit to North Canara.

2. Copies of Lieutenant-Colonel Kennedy's letter and of the memorandum from the chief engineer at the Presidency with which the above papers were
81. S submitted,

submitted, and of the resolution recorded by us, are herewith forwarded for your information, and we would solicit your special attention to paragraph 4 of the letter from the superintending engineer, Southern Circle, No. 3316, dated the 3d December 1862.

3. We also beg to transmit copy of a further communication from the superintending engineer, Southern Circle, No. 3360, of the 9th December 1862, reporting his proceedings in connexion with the public works at Beitkul, and of the resolution passed by us thereon.

We have, &c.
(signed) *H. B. E. Frere.*
J. D. Inverarity.

Enclosures in No. 36.

Public Works, Beitkul.—No. 120 of 1863.

EXTRACT from the Proceedings of Government in the Public Works Department,
dated 23d January 1863.

READ the following letter from the Superintending Engineer, Southern Circle, to the address of the Chief Engineer at the Presidency, No. 3360, of the 9th December 1862:—

In continuation of my No. 3316 of the 3d inst., I beg to report that I arrived at Sedashegar on the 21st ultimo, and purpose leaving on the 11th instant.

2. The works ordered for execution in the neighbourhood of Beitkul, and in connexion with the harbour, are the wharf wall, lighthouse, river groin, road leading from head of cove to Konay.

3. For the wharf wall a considerable quantity of stone has been quarried and roughly dressed, but up to the date of my arrival none had actually been laid. Temporary ramps leading down to the site of the wall had, however, been made, and preparations for actual building were in progress. A portion of the wharf wall had been lined out in a depth of from two to five feet water, low tide.

4. I urged on the immediate commencement of actual building operations, sufficient stone being ready to admit of an effective beginning, and the lower course of a portion of the work has been laid. The most difficult part of the work will be that portion below the low tide-mark; but now that a commencement has been made, I trust nothing will delay the successful prosecution of the work. I fear, however, from the quality of the labour employed, and the character of the undertaking itself, the wall will prove expensive. The stone used is of very fine quality, a handsome granite; but as it has to be split into blocks by wedges, it is likely to prove costly.

5. At the lighthouse nothing had been done except clearing the site. Captain Baker was awaiting the arrival of the long-promised steamer, without whose aid communication with the Oyster Rock must necessarily be very uncertain and tedious. I have, however, pointed out to him that it is useless waiting any longer for this vessel, and that he must do without her as well as he is able. I have instructed him to station a non-commissioned officer with a party of workpeople on the rock, to begin building at once, and to manage as best he can by the aid of common boats.

6. I have seen a fresh design for a lighthouse substituted by my order for that returned with your No. 950 of the 3d ultimo, and have approved of it. It will be forwarded to you shortly, as soon as a copy of and an estimate for it can be made. It is for a hollow frustrum, with interior wooden stairs, and as it will be built of granite, is low; and as I have provided for thick walls, I do not anticipate any danger to the column from any amount of wind force, and the building is far above the influence of the waves. My reason for preferring this style of building to a solid frustrum with exterior stairs will be given in detail when I submit the design.

7. The river groin was ordered in your office, No. 1734 of 28th March last, but nothing could be done by the executive engineer last season.

8. The effect of the last monsoon was to carry the deep channel at the mouth of the river considerably more to the north than it was last year; this is, therefore, a more favourable time for constructing a groin than before the rains. Still I do not anticipate the executive engineer will, under any circumstances, be able to construct a spur such as is shown in the sketch which accompanied your No. 1734 of 1862, for the long dry split shown in that sketch on the southern bank of the river did not last year exist, nor does it now.

9. The

9. The progress of the work will soon carry the groin head into deeper water than the executive engineer will be able to deal with, and put a stop to the operations long before the extent of spur contemplated by Colonel Turner is reached. Every little will, however, help towards deflecting the river current to the northern bank, and to keep the main channel open in that direction.

10. I have directed Captain Baker to lose no time in beginning actual work on this groin, and have instructed him to detach a non-commissioned officer with a working party for the especial duty; arrangements for carrying out this order have been made.

11. At the close of last season a difficult foot track at several places over steep rocks was the only direct means of access from Beikul Cove to Konay. During the monsoon, Lieutenant Doveton's company of sappers, assisted by such common labour as could be collected, has been employed widening out this pathway; and there is now a very fair road, about 20 feet wide, along the whole distance, which, but that it is much encumbered with loose rock, is passable for carts. This is the beginning of the wide road which will eventually be constructed along the whole frontage, and be prolonged in front of the new town at Konay.

12. Across the Konay creek a rude temporary bridge has been thrown, to which I have ordered certain improvements to be made, until an iron lattice bridge can be substituted.

13. The subject of this iron bridge was discussed in the correspondence, which ended with your No. 5032 of 1862, and in the exercise of the discretion given me in your No. 5020 of 1862, I have directed the executive engineer to procure from Messrs. Knight & Co. an iron bridge in two spans of 40 feet each, and to conclude a contract for its erection forthwith; orders have accordingly been sent to Messrs. Knight & Co., and I have settled on the exact site of the bridge, and hope to see it concluded by the commencement of the monsoon.

14. The design for this bridge, submitted with the previous correspondence, provided an aggregate waterway of 120 feet, but I have reduced this one third, or to 80 feet, which will give ample opening. Messrs. Knight & Co.'s contract for the smaller bridge, and the probable cost of its entire completion, will be reported hereafter.

15. Until the iron bridge is ready, the measures I have ordered for adoption will provide an efficient temporary passage over the creek, which in the dry season is a very trifling obstacle.

16. During my stay at Sedashegar, Captain Ker, with his gang of convicts, and the second company of sappers and miners, arrived in the "Berenice." The convicts, about 130 in number, instead of sending to join the Dharwar gang at the Kyga Ghaut, I have detained at Beikool. Their aid is invaluable in lifting the heavy blocks of stone for the wharf wall, work which the common coolies of the country are quite unable to handle.

17. The second company of sappers I have sent to work on the road between Beikool and Ankola, to which work I have also removed Lieutenant Doveton's company. On my arrival I found the confined space in the cove, and on the road leading to Konay, too much crowded with labour of all kinds; and the first thing I did was to take steps to reduce the number to a more manageable amount, by sending all superfluous men to the Ankola line, where there can hardly be too many.

18. I wish I had felt justified in taking immediate steps to procure a screw pile pier from Calcutta, but the orders conveyed in your No. 991 of the 4th November last, and accompaniment, to invite tenders for the work from various distant parties, were so specific that I felt I had no option in the matter. As it is it will take months to procure tenders, and all hope of making a commencement of the pier this season must be abandoned. After all I very much doubt if any tender as favourable as that already made by Messrs. Knight & Co. will be forthcoming.

19. With a length of wharfage complete, the road to Konay open, and a pier constructed, Beikul harbour may well wait for further improvements until its trade has developed itself a little.

20. The Manchester Cotton Company have been active at their settlement at Alleguddy, between Beikul and Konay. They have built a small stone jetty, laid down a short length of wooden tram, have set up a work shed, and erected a neat little office, with an iron roof and plank walls. They have fixed on and levelled the site for their press-houses, and have all the materials for it ready, as well as the machinery to put into it when it is ready.

21. They will have to sink deep for the foundations of the presses (some 20 feet), but this is their only difficulty; and, as far as I can see, they ought to have one or two presses at work by March next. The building they contemplate having iron roofing and framework will not take long in execution, and I can see no reason why they should not, in the next spring, export a small quantity of cotton from Sedashegar, provided we can open up the road by the Arbyle Ghaut, so as to admit of cotton carts reaching Alleguddy. This I think we shall be able to do; but on this point I shall be in a better position to report in the course of a few days.

RESOLUTION of Government.

The satisfaction of Government should be expressed to Lieutenant Colonel Kennedy, at his proceedings in connexion with the works at Beitkool; and, under the explanation given in paragraph 18 of his letter, he is authorised at once to conclude a contract with Messrs. Knight & Co., or with any other parties, for an iron screw pile pier.

(signed) *H. Rivers*, Lieut. Col., R. E.
Secretary to Government.

Public Works, North Canara.—No. 122 of 1863.

EXTRACT from the Proceedings of the Bombay Government in the Public Works Department; dated 23 January 1863.

READ the following papers:—

LETTER from the Superintending Engineer, Southern Circle, No. 3316, dated 3d December 1862, to the address of the Chief Engineer, at the Presidency.

It may be interesting to you and to Government to receive reports of my proceedings during my present visit to North Canara; I propose, therefore, to do myself the honour of furnishing you with the details of my journey as, I complete each important section of my inspection. The subject of my present letter will be the approach from the Dharwar frontier to the head of the navigation of the Kallee Nuddee, at Mullapoor, *viâ* the Kyga Ghaut.

2. I crossed the frontier on the 12th ultimo; met Captain Baker at Iddugonjee, the point of divergence of the Arbyle and Kyga Ghauts, on the 14th; reached the ghaut itself on the 17th; Mullapoor on the 20th; and Sedashegar on the 21st.

3. From the frontier to Iddugonjee the road has long been in use, and though narrow, that is, only about 18 feet wide, it is, except here and there, in pretty good order, and quite passable for carts; indeed carts in some numbers, carrying merchandise to Tudry and Ankola, *viâ* the Arbyle Ghaut, are now using it, and a little repair will set it entirely to rights.

4. From Iddugonjee the new line by the Kyga turns off, and this also, though narrow, from 12 feet (the minimum) to 16 feet in width, is perfectly passable for carts, and on good gradients. It winds about too much to avoid drainage works, but will be straightened and considerably shortened when the bridges and drains are built. I took my laden carts from Iddugonjee down the ghaut to Mullapoor without any assistance or any difficulty, and they traversed a greater part of the distance, lighted only for a short time each night by a waning moon. This fact will enable you to estimate the value of assertions that have been so freely, and I may say unfairly made, that the greater portion of the work done on the Kyga Ghaut was destroyed during the last monsoon. I have already reported to you on this subject, on information supplied by the executive engineer; I can now add the testimony of my own observation and experience. The ghaut suffered hardly at all from the effects of the late rains, and but that we must stop it up to admit of the prosecution of the cuttings, it would without further improvement take a small amount of traffic. I say a small amount, because the surface is not of course in a fit state at present to bear much wear and tear, and would soon get cut up in the absence of a moorum, or metal covering.

5. Captain Ker and his gang of convicts I have ordered to work eastward from the top of the ghaut, where the prisoners will find employment more suitable for them than on the ghaut itself, and where they can be better guarded and managed. On this part free labour is most difficult to procure, and here, therefore, the prisoners are relatively more valuable. The only thing I fear is fever, but that is everywhere, except close to the sea; and if the prisoners suffer, they may be moved westward, as I have provided for. I hope, however, as the season advances, fever will abate; and further, that the convicts being better fed and cared for than common coolies, will not be affected in the same degree. One thing is certain, if the convicts cannot work on this line, coolies cannot, or will not; and in this event the prospects of the season's operations will be but gloomy.

6. This is perhaps a convenient place to offer a few observations I have to make on the sanitary state of the district this year. Last season I had to bring to notice the difficulties that fell in our way from this cause, and so far from there being at present any improvement, matters are now far worse.

7. Just as I crossed the frontier on the 12th ultimo, I passed a man lying down on the road very ill with fever. On the next short march of 12 or 15 miles I saw three were in the same condition. Yellapoor is like a deserted town. The few people that are seen are ague shaken and emaciated, and in every house there are one or more inmates affected. The mamletdur and his first carcoon have been obliged to leave, and indeed no one remains who can possibly get away. At every hamlet along the road it is the same, and some villages have been altogether abandoned. The post comes with irregularity, owing to many
of

of the runners being laid up, and I was informed by Mr. Goldfinch that hardly a post arrives without the report of the death of some person from fever. As to the European officers and subordinates, I was struck, as others have been, by their altered appearance. Since last year nearly every one, from Captain Baker downwards, is suffering or has suffered, and unless matters mend, as I trust they will, we shall meet with some obstruction from a cause altogether beyond regulation or control; the district is getting as bad as the Dung.

8. The rains too, this year have, it is to be regretted, held on to an unusually late period; indeed, there has been a heavy fall at the ghaut within the last five or six days which I think will be productive of undesirable results. Before this fall the dense jungle was still undried, the grass and undergrowth long and green, and the late unexpected and very undesirable moisture will defer for many days longer the thorough drying up which is so very necessary.

9. I hope I shall not be thought anxious to make too much of the difficulty, but it is a very serious one, and should be fully explained to Government; and if any confirmation of my account of the state of matters is wanted, I would refer to Mr. Goldfinch, whose personal experience of a residence in North Canara, and whose more extended official information, will enable him to speak with more authority than I can.

10. On the ghaut when I passed down only about 1,500 men had been collected. They had all been imported from Rutnagiree, Sawunt Waree, &c., by the individual who has, with my consent, received a contract for executing the ghaut and road works on the schedule of rates given in para. 17 of my letter to Captain Baker. This number of men is far less than I expected to see, or than Captain Baker led me to expect I should see; but the rice crop, as is well known, was very late this year, and the people cannot leave their homes until it is cut and stacked.

11. Reinforcements are, however, coming daily in twenties and thirties, and if not alarmed by the unhealthy state of the district, I believe, that shortly there will be three or four thousand men at work. This number is less than Captain Baker reported he expected to have, but I never thought his hopes would be fully realised, and I believe he will have done very well if he gets and keeps the number just named.

12. Without some such arrangement as a contract, it would have been very difficult to have got, or to have kept labour. The adoption of the contract plan relieved Captain Baker of the details of accounts of works, of personal accounts with each man, of advances given and recovered, and of all the complications due to keeping the records of a large fluctuating body of men; and added to this, he is spared the difficult and expensive arrangements for feeding the people, all of which have now been provided for by, and fall on the contractor. On the other hand, the schedule of rates, considering extra cost of labour in the district, is extremely moderate, and I have little hesitation in saying that, working departmentally, we could not have kept within such prices. Most of them are the contractor's own tenders, and though he might perhaps have been beaten down a little, he appeared desirous to act so fairly, and his offers were so reasonable, I did not desire to make any reduction, being convinced it is as much for the interest of Government as for the contractor, that he should desire a reasonable profit from an adventure which is as creditable to his enterprise as it is advantageous to the prosecution of these important works.

13. Such men as this contractor and his managing agent (a person who has executed contracts elsewhere) are much needed in this department, and I shall be very glad if the result of the present arrangement is as satisfactory to the individual concerned as it will be to us if carried out, as there is every reason (setting aside disorganization on account of sickness) to hope it will be.

14. At present, the proportion of fever cases on the ghaut is not very great, only about 4 per cent.; but the men are fresh, and it remains to be seen what the effect of a longer residence will be. The contractor's managing agent has, however, suffered; Lieutenant Maccartney, Royal Engineers, has been very unwell from fever the last few days, and the other Europeans, Mr. Stapleton, and Serjeants Ferrell and Cresswell, are also ill.

15. I have arranged, as you will see from my letter to Captain Baker, for the general use of timber bridges on the line as being cheaper and more quickly executed, and as overcoming many of the difficulties more rapidly than stone arches. My idea is, that when the timber superstructure is worn out, iron shall be substituted; and as there are few or no cases in which pile supports will be applicable or necessary, a great deal of what is done now, will, I trust, come into permanent use.

16. You will observe from the 15th para. of my letter to Captain Baker, that I have had to find fault in respect to one point of his management. Up to the date of my visit, as the contractor's men arrived, they were employed on clearing the line of jungle to admit of the commencement of the excavation, but this, though necessary to a certain extent, had not been properly regulated by Captain Baker's subordinates on the spot, and far more jungle has been cleared than was necessary. The loss that has been incurred, though considerable, is not of moment, and I fortunately arrived with Captain Baker in time to put a stop to further loss, and I trust matters are now so regulated on the ghaut, that any further unprofitable expenditure need not be apprehended.

17. At Mullapoor, Mr. Maxwell, of the firm of Nicol & Co., is making preparations for the erection of cotton screws and saw mills, but I doubt very much if his arrangements will be completed this season. His main difficulty appears to be connected with the labour supply, and his European engineer and workpeople have been suffering from fever. On the whole, I doubt very much whether cotton in any quantity will come down from Kyga this year, even if we are successful in opening it entirely. Until screws are erected, there is no object in bringing cotton by this route, and I shall be greatly surprised if Mr. Maxwell is successful in setting up his machinery before the monsoon. At present, beyond the collection of a small quantity of material, the erection of a chupper residence, the excavation of some foundations, and the erection of a small landing jetty, nothing has been done.

MEMORANDUM from the Chief Engineer at the Presidency, No. 1765, dated the 15th December 1862.

SUBMITTED to Secretary to Government.

THE chief engineer has already suggested to Lieutenant Colonel Kennedy that Captain Baker should make Beitul his head quarters during the monsoon; little, if anything, can be done, and the chief engineer has been informed by the subedar-major of the sappers, that the company at Beitul have not suffered from fever.

2. Colonel Kennedy's attention will be called to recent orders by the Commander in Chief respecting sanitary arrangements; these are equally applicable to gangs of workmen. Colonel Kennedy has probably attended to this already, but as it is not noticed in his letter to Captain Baker, it appears necessary to remind him.

RESOLUTION of Government.

THE Honourable the Governor in Council approves of Lieutenant Colonel Kennedy's views, and directs that the satisfaction of Government be expressed to that officer at the general result.

2. The attention of the principal inspector general of the medical department should be called to paras. 6 and 9 of Lieutenant Colonel Kennedy's letter, dated the 3d December 1862.

(signed) *H. Rivers*, Lieut. Col., R.E.
Secretary to Government.

246

EAST INDIA (SEDASHEGUR HARBOUR).

RETURN to an Address of the Honourable The House of Commons,
dated 7 May 1863;—for,

A “COPY of all CORRESPONDENCE not hitherto published, relative to the
HARBOUR of SEDASHEGUR, and ROADS leading thereto.”

India Office, }
29 May 1863. }

W. T. THORNTON, Secretary,
Public Works Department.

(*Lord Stanley.*)

Ordered, by The House of Commons, to be Printed,
1 June 1863.

CONTENTS.

No.	Date.	From	To	Subject.	Page.
	1863 :				
1	2 February	Government of Bombay	Secretary of State	- Replying to Mr. Latham's remarks on the Arbyle Ghaut Road, and the bridges on the Ankola and Ballakery Creeks in North Canara.	3
2	21 March -	Government of Bombay	Secretary of State	- Measures for facilitating the export of cotton from Sedashegur.	4
3	22 April -	Government of Bombay	Secretary of State	- Returns of traffic on roads in North Canara, for January 1863.	7
4	25 May -	Secretary of State	- Government of Bombay	Further correspondence with the Manchester Cotton Company, regarding their "claim to compensation."	8

COPY of CORRESPONDENCE not hitherto published, relative to the HARBOUR
of SEDASHEGUR, and ROADS leading thereto.

— No. 1. —

PUBLIC WORKS DESPATCH from the Government of Bombay to the Secretary
of State, No. 6, dated 2 February 1863.

Para. 1. MR. LATHAM, a civil engineer, who was recently employed in this country on behalf of some promoters of a railway from Beitul to Bellary having, in pages 24 and 25 of a report published by him, of which we believe you have been supplied with a copy, made certain remarks on the Arbyle Ghaut Road and the bridges on the Ankola and Ballakery Creeks in North Canara; we deemed it proper to call the attention of the superintending engineer, Southern Circle, to those remarks.

2. We now beg, with reference to our Despatch, No. 2, dated the 13th January 1863, to forward copy of a communication from the superintending engineer, dated the 16th December 1862, whose explanations appear to us to be quite satisfactory.

(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Enclosure in No. 1.

No. 3391 of 1862.—Public Works Department.

Office of Superintending Engineer, S. C.,
Camp Arbyle, 16 December 1862.

Sir,

I HAVE the honour to acknowledge the receipt of your No. 1399, of the 27th ultimo, and accompaniment.

2. The remarks at pages 24 and 25 of Mr. Latham's pamphlet on the Arbyle Ghaut Road are, like many other of his observations in the same paper, unfounded, and written without personal knowledge of, or reliable information regarding, the subjects he treats of.

3. The Arbyle Road to Ankola is not yet complete, or in good order; on it water is not more available than on the Kyga, and grass is less abundant; and it is not the principal cotton road.

4. The new road connecting the Arbyle Road and Beitul is not bent back to some considerable distance to obtain a ford; its present position is not inconvenient, and was selected from the following reasons:—

It saves distance.

It passes over a favourable country for road-making.

It avoids several formidable tidal creeks which Mr. Latham would apparently cross at their junction with the sea; and

It avoids the shifting drift sand of the coast, over which it would be very nearly impossible to make a cart road at all, though Mr. Latham, travelling in a munchal in the monsoon when the sand was moist and hard, may not have observed this defect in what is called the old coast road.

5. On the new line there is but one ford, with a hard bottom, which has 9" of fresh water in it at low water, 3 ½ feet of brackish water at high tide (it was measured thus on the 7th instant, one day after the full moon), and which is always easily passable by laden carts at half tide.

6. Over this river, every effort, however, will be made to throw a bridge before the monsoon, and in the dry weather it offers no impediment whatever to traffic.

7. There are, however, to the eastward, several other rivers of more formidable character in the rains, to bridge which also endeavours will be made. Until these are provided for, it is idle to lay any particular stress on the river between Ankola and Beitcul.

8. Colonel Turner and I have inspected the line connecting the Ankola Road and Beitcul, and approved of it. Mr. Latham and other critics find fault without having seen it.

9. These are all the remarks I have to offer in reference to pages 24 and 25 of Mr. Latham's pamphlet, and I trust they will be satisfactory to Government.

To the Chief Engineer
at the Presidency.

I have, &c.
(signed) *M. K. Kennedy*, Lieut.-Colonel,
Superintending Engineer, S. D.

— No. 2. —

PUBLIC WORKS DESPATCH from the Government of Bombay to the Secretary of State, No. 14, dated 21 March 1863.

Para. 1. In paragraph 36 of our Despatch, No. 2, dated 13th January 1863, it was intimated that we had addressed the principal mercantile firms in this city who have agencies at Sedashegur, requesting them to state if in their opinion this Government could adopt any measures, beyond those now ordered or in progress, to facilitate the export of this season's cotton from Sedashegur.

Messrs. Nicol & Co.
Messrs. Ritchie,
Steuart & Co.

2. We have now the honour of submitting replies we have received from the firms named in the margin, accompanied by a letter from the Revenue Commissioner, Southern Division, No. 409, dated 18th February 1863, to whom copies had been forwarded for communication to the Collector of North Canara.

3. A copy of the Revenue Commissioner's letter has been furnished to the firms named above for their information.

(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Enclosures in No. 2.

EXTRACT from the Proceedings of Government in the Public Works Department.

(No. 21 of 1863.)

To Messrs. *W. Nicol & Co.*

Gentlemen,

I AM directed by his Excellency the Governor in Council to request you will inform Government whether, from the reports received from your agents at Sedashegur, you are aware of any measures which Government could adopt beyond those now ordered, or in progress, that would facilitate the export of this season's cotton crop from Sedashegur.

I have to request the favour of an early answer.

I have, &c.
(signed) *H. Rivers*, Lieut.-Colonel,
Secretary to Government.

Bombay Castle, 8 Jan. 1863.

From Messrs. *Nicol & Co.*, dated 9 January 1863.

Sir,

WE have the honour to acknowledge receipt of your letter, No. 21 of 1863, inquiring if from the advices of our agent at Sedashegur, there are in our opinion any other measures beyond those ordered or in progress, which would facilitate the export of the next season's crop of cotton from that port. In expressing our sense of the honour done us in requesting our opinion on this point, we would beg to state that of course our information regarding the works in contemplation, but not commenced, must necessarily be imperfect, and the observation of our agent is confined to the immediate neighbourhood of Sedashegur, whilst his sources of information regarding the progress beyond, may not always be the best. Anything we

we may advance is, therefore, with all deference to the superior information and judgment of Government, on the points in question. We are informed that all hope of the Kyga Ghaut being opened before the rains must be abandoned. If so, we would respectfully submit that, in our opinion, it would be preferable to concentrate all available power on the Arbyle Ghaut-road, opening complete communication with the cotton districts by the circuitous route *viâ* Ankola, rather than that, by divided energies, neither this nor the more direct road by the Kyga Ghaut should be available.

Were strong rough wooden bridges, similar to those in the Dharwar districts, immediately commenced on the two small estuaries at Ankola and Bellekerry, we are led to believe a road perfectly practicable for cotton carts might be opened by the end of March, which would allow a large quantity of this season's crop being brought to Sedashegur. Our presses having arrived, will be set in working order immediately, and with a small pile pier constructed, we shall be in a position at once to commence direct shipments to England, even if the Manchester Cotton Company be unable to do so.

We may add that at Beitul itself, a large amount of work remains to be done, the most important parts of which are bridges over nullahs, crossing the road connecting the native village at Beitul Cove with Konay, and the attention of the engineer in charge should be directed to the due protection of the road from the violence of the monsoon, so as to prevent interruption to communications during the rains.

Whilst advocating the concentration of all the means at the command of the engineer in charge on the Arbyle Ghaut-road, we do not wish that the projected road by the Kyga Ghaut should be entirely given up; but trust that, as soon as circumstances permit, it may be completed.

His Excellency the Governor in Council having done us the honour to ask our views will, perhaps, allow us to suggest that tenders for the construction of the Kyga Ghaut road be invited from private contractors, thus enabling the officers of Government to devote themselves entirely to the only works which will enable exporters of cotton to make use of Sedashegur during the present season, and at the same time afford a reasonable probability of the completion of the direct route immediately after the monsoon.

In conclusion, we beg to bring to the notice of Government, that up to this time no plan of the neighbourhood of Beitul showing the new roads to be laid down, &c., has been placed before the public, and many intending purchasers of building sites are, consequently, restrained from buying or leasing land, the value of which might, probably, be much affected by the decision of the engineers on these points. This has only an indirect bearing on the question; but, granting the possibility of commencing exporting cotton this season, we think no time should be lost in affording the utmost facility and encouragement to all who are likely to increase the quantity sent forward. At the present time our representative holds authority from eight or ten firms to secure land for the express purpose of exporting cotton, but he is unable to act upon it solely from this cause.

We have, &c.
(signed) *W. Nicol & Co.*

To Colonel *Rivers*, Secretary to Government, Public Works Department.

Sir,

WE have the honour to acknowledge the receipt of your letter, No. 21 of 1863, requesting us to state if, in our opinion, Government could adopt any measures, beyond those now ordered or in progress, that would facilitate the export of this season's cotton from Sedashegur.

We have no very full information as to the measures which have been ordered by Government, or, indeed, as to all of those which are already in progress, and we have, therefore, some hesitation in expressing any decided opinion on more than one or two points.

As far as we can ascertain at present, it appears to us to be impossible that the Kyga Ghaut can be opened for traffic before the rains, and we would, therefore, respectfully suggest that all the energies of the Government engineers should be concentrated for the present upon the Arbyle Ghaut road, which we believe might easily be made passable for cotton carts in a couple of months from this time; we think it would be preferable, by increased energy now, to ensure the early opening of one line of communication with the cotton districts, even though it be not the most direct one, rather than by divided energies to risk the chance of neither route being available.

When our Mr. Scott visited Sedashegur three weeks ago, there appeared still to be a great deal of work to be done, particularly in the way of building bridges over nullahs, on the line of road now being made between the village of Beitul and Konay, and we would suggest that this most important part of the road should be completed with the least possible delay. It is also, we think, exceedingly desirable that the site of the proposed new town should be finally determined, and lots set apart for sale. We are aware that several Bombay firms, European and native, are anxiously waiting until they are able to obtain ground.

We have, &c.
(signed) *Ritchie, Stuart & Co.*

Bombay, 9 January 1863.

No. 242 of 1863—Public Works Department.

To the Revenue Commissioner, Southern Division, and to the Chief Engineer
at the Presidency.

Resolution.—Copies of Messrs. Nicol and Co.'s letter, and of that from Messrs. Ritchie, Steuart & Co., should be forwarded to the Revenue Commissioner, Southern Division, and the Chief Engineer at the Presidency, for communication to the Collector and Executive Engineer of North Canara respectively.

The Superintending Engineer, Southern Circle, should be requested to report particularly as to the possibility of letting the whole of the Kyga Ghaut works in one contract.

No. 409 of 1863.—Public Works Department.

From the Revenue Commissioner, Southern Division, to the Secretary to Government.

North Canara Districts, Camp Konay,
18 February 1863.

Sir,

I HAVE the honour to report, that as directed by the Government Order, No. 242, dated 6th January 1863, I have forwarded copies of Messrs. Nicol & Co.'s letter, and that from Messrs. Ritchie, Steuart & Co., to the Collector of North Canara.

2. The writers of these letters appear to labour under a misapprehension regarding the comparative length of the Kyga Ghaut and Arbyle Ghaut routes from Beitcul to Iddagoontee, the point beyond which the two routes coincide, which, I think, it might be desirable to remove, as it may, if not corrected, perhaps lead to unintentional misrepresentation as to the effect of the endeavours which Government have been making to obtain as soon as possible an available line of communication for traffic between Beitcul and the interior.

3. The length of the two routes is given as follows, in para. 15 of Colonel Turner's and Mr. Hope's Report of 1st March 1862. I believe, however, that the Kyga route is shorter by one mile and a half than the Arbyle route.

KYGA LINE.				ARBYLE LINE.			
			Miles.				Miles.
Beitcul to Mullapoor	-	-	20	Beitcul to Ankola-road (by Hyderghur)	-	-	20
Mullapoor to foot of Ghaut	-	-	13	Junction into Ankola-road to Soonksal	-	-	20
Ghaut	-	-	9	Soonksal to Iddagoontee	-	-	19
Top of ditto to Iddagoontee	-	-	17				
TOTAL	-	-	59	TOTAL	-	-	59

4. I have within the last few days traversed the route by the Arbyle Ghaut, and found that there is no sort of difficulty in any part of it, to within two miles of Beitcul, for cart traffic, and that a few labourers constantly employed in repairing trifling damages which will probably occur to the surface of the road, would keep it fit for more traffic than it can possibly be required to bear for the next three months. The only real obstacle to traffic that I anticipate as likely to occur by that time is the breaking up of the surface of the sandy soil over which the road runs for about two miles before Konay or Sedashegur Bay is reached.

5. It would be necessary to prevent strings of carts from meeting on some of the narrow parts of the road; but this might be easily arranged by permitting the upward and downward cart traffic to occupy certain ghauts only at different hours of the day and night.

I have, &c.
(signed) *W. Hart*,
Revenue Commissioner, S. D.

No. 466 of 1863.—Public Works Department.

To Messrs. Nicol & Co., and Messrs. Ritchie, Steuart & Co.

Gentlemen,

WITH reference to your letter dated the 9th January 1863, relative to the measures to be adopted for facilitating the export of this season's cotton from Sedashegur, I am directed by the Honourable the Governor in Council to transmit for your information the annexed copy of a communication* on the subject, from the Revenue Commissioner of the Southern Division.

I have, &c.
(signed) *H. Rivers*, Lieut.-Colonel,
Secretary to Government.

Bombay Castle, 6 March 1863.

* No. 409, dated
18 Feb. 1863.

— No. 3. —

PUBLIC WORKS DESPATCH from the Government of Bombay to the Secretary of State, No. 17, dated 22 April 1863.

Para. 1. ADVERTING to para. 4 of our Despatch, No. 15, dated 24th November 1862, on the subject of public works to be undertaken in North Canara, we have the honour to forward for your information, a return of traffic which passed along the roads referred to, during the month of January 1863.

2. We have requested the Superintending Engineer, Southern Circle, to expedite these returns, and hope shortly to forward those for February and March.

(signed) *W. E. Frere.*
J. D. Inverarity.

Enclosures in No. 3.

DOWN TRAFFIC RETURN for the Month of January 1863.

	Cotton Carts.	Cotton Bullocks.	Other Carts.	Other Bullocks.	Empty Carts.	Empty Bullocks.	
Gairsoppa to Honore -	-	-	18	21,555	16	36	Gairsoppa Ghaut Line.
Kuttegal to Coompta -	2,281	109	1,222	1,456	80	118	Deevimunee Ghaut Line.
Soonksaul to Beiteul -	-	-	-	142	-	-	Arbyle Ghaut Line.
Soonksaul to Coompta and Tuddry.	50	1,852	53	1,591	-	-	- - ditto.
Soonksaul to Ankola -	-	-	17	516	-	27	- - ditto.
Mullapoor to Beiteul -	-	-	-	272	-	-	Kyga Ghaut Line.
Aorsa to Beiteul -	-	75	-	-	-	-	Ankola to Beiteul Line.
TOTAL - -	2,331	2,736	1,310	25,532	46	181	

1 February 1863.

(signed) *J. R. Maunsell, Captain,*
Acting Ex. Engineer, North Canara.

UP TRAFFIC RETURN for January 1863.

	Carts.	Bullocks.	Carts from other Places.	Bullocks from other Places.	Empty Carts.	Empty Bullocks.	
Aorsa to Beiteul -	-	-	-	-	16	92	Ankola to Beiteul Line.
Beiteul to Mullapoor -	-	196	-	-	-	-	Kyga Ghaut Line.
Beiteul to Soonksaul -	90	254	-	-	-	-	Arbyle Ghaut Line.
Coompta and Tuddry to Soonksal.	103	726	-	-	-	-	- - ditto.
Ankola to Soonksaul -	36	1,205	-	-	-	13	- - ditto.
Coompta to Kuttegal -	1,345	509	971	1,227	366	1,219	Deevimunee Ghaut Line.
Honore to Gairsoppa -	22	3,971	-	-	9	17,786	Gairsoppa Ghaut Line.
TOTAL - -	1,596	6,361	971	1,227	391	19,110	

1 February 1863.

(signed) *J. R. Maunsell, Captain,*
Acting Ex. Engineer, North Canara.

— No. 4. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, No. 16, dated 25 May 1863.

IN continuation of my Despatch, No. 6, of 26th February last, I transmit herewith, for your Excellency's information, copies of a further letter from the Manchester Cotton Company, and of my reply thereto, regarding their "claim to compensation."

(signed) *C. Wood.*

Enclosures in No. 4.

Manchester Cotton Company, Limited,
Hartford Chambers, St. Ann's Square, Manchester,
23 March 1863.

Sir,

Your letter of the 19th February last, in reply to that of the Executive Committee of Directors of this Company, claiming compensation from the Indian Government, has been duly received and considered by the Directors.

2. The statement that "their claim is founded upon the assumption that a promise was given," cannot for one moment be admitted by the Directors, as the language of the Madras despatch was clear and explicit, namely, "that a pier would be completed at the port of Beiteul, and that a road from Beiteul to Dharwar would be ready by the end of the year 1861." This language conveyed by Sir Charles Wood to the Directors a clear and positive promise as to a definite time by which the pier and road "would be ready." You state that Sir Charles Wood "gave to the deputation the information which he possessed," viz., "that the pier and road would be ready by the end of 1861," and the Directors therefore cannot reconcile this statement with the preceding one, viz., that from the Madras despatch Sir Charles Wood "could form no opinion which could be the ground of a promise as to the time of the completion of the pier." Sir Charles Wood states that "he entertained no doubt as to the intention of the Madras Government to construct both the road and the pier," and it is evident he had full confidence in the further statement of that Government, "which he communicated to the deputation," viz., that the pier and road would be ready by the end of the year 1861. If Sir Charles Wood doubted that statement, he never on any occasion intimated to the Directors that he entertained the slightest doubt on the subject. Moreover, the Directors naturally and most confidently relied on the exercise of the superior authority of Sir Charles Wood, in urging the subordinate government to give effect to his instructions as to the timely completion of the promised works.

3. If Sir Charles Wood had the power to order the Madras Government to transfer the whole province of Canara to another Government, it is self-evident that the Madras Government stood subordinate to his instructions, and as Sir Charles Wood informed the Directors without reservation, that the Government had stated that the pier and road would be ready by the end of 1861, and as he had moreover sent out positive instructions with a copy of the Directors' letter, requesting that the pier and road should be ready by the time of the arrival of their first vessel, Sir Charles Wood cannot on any fair ground be released from the responsibility of the consequences entailed by the failure of his subordinates. Yet it is this responsibility which Sir Charles Wood now attempts to evade.

4. Sir Charles Wood is confident that he gave no such promise as Mr. Platt asserts. The Directors can only, in reply, state that the deputation that waited upon Sir Charles Wood are unanimous in their statement that such a promise was made; the probability of its truth will, it is presumed, clearly appear from the facts we have just adduced.

5. Sir Charles Wood now quotes a letter, dated 7th June 1861, signed by Lord De Grey and Ripon, forwarded to the Cotton Supply Association, from which the following extract is quoted: "The Government of Madras promise that no exertion shall be spared to have the road completed throughout as early as possible, but this, they add, cannot be this year." Neither in this extract, nor in the letter from which it is quoted, is one word said about the pier. Yet Sir Charles Wood proceeds (para. 9) to say, "thus it appears not only that no promise was made to the Company that a pier would be completed," &c. On reference to this very letter of 7th June 1861, Sir Charles Wood will find that the entire road is referred to under three divisions. As to one portion from Hooblee to Singatteekop, it is stated that the Bombay Government, "through whose territories it passes, hope to have it in working order in the course of the present year 1861." As to the second portion from Singatteekop to Iddagunjee, this road has also been cleared, but is far from being in good condition, and

a body

a body of convicts were to be sent immediately to improve it. This portion, therefore, only required improving, and from the time when the Madras Government wrote this despatch, which could not have been later than May 1861, four working months were available to the end of the year. Every probability existed, therefore, that this portion would be ready.

6. As to the third portion, it is stated that a fair-weather road is now being made along the whole distance from Iddagunjee to Sedashegur; that “1,05,330 rupees had been sanctioned; that orders had been given that the engineer should be supplied with funds as fast as he could employ them advantageously; and that the Government promise that no exertion should be spared to have the road throughout completed as early as possible, but this, they add, cannot be this year.” The information thus conveyed to the Directors by this letter of 7th June was not calculated to, nor did it materially, alter their opinion on the subject of the road being ready in time for the next cotton season; for as to these three divisions of the road, the first was promised to be ready, the second would in all probability be ready, and the third, though not completed by the end of the year, was evidently expected to be ready soon afterwards, and was undoubtedly expected to be ready in time for operating upon the cotton of that season. That the opinion of the Directors, as to the road being ready in time for their operations, was not materially affected by this letter may be thus proved.

7. Dr. Forbes was at that time in constant communication with the Directors, as well as with the Government, and he always held out the fullest expectations of the road and pier being ready by the end of 1861, a little sooner or later; for it could not have been a question of a day or a week, or even one or two months, as Sir Charles Wood now somewhat unfairly implies by insisting upon the mere letter of his promises.

8. Dr. Forbes was present at the drawing up of the instructions under which Mr. Haywood proceeded to India. In these instructions it is stated that cotton-cleaning machinery, presses, &c., should be sent out to Sedashegur, in order that they might be erected in time for cleaning cotton in February 1862; and it was originally arranged under Dr. Forbes' advice, just before he left England, that the vessel should reach Sedashegur about the end of December 1861. Circumstances however prevented the arrival of the vessel before the month of May 1862. That Dr. Forbes was cognizant of these arrangements is proved by the following extract from a letter addressed by him to the Directors, dated 25th June 1861, three weeks after the reception of the letter to the Cotton Supply Association, quoted by Sir Charles Wood. He wrote thus: “It is now close upon July (1861); if the machinery arrives in January next, a month would still be available for setting it to work. The intervening seven months could be employed in providing the buildings, &c., necessary for its reception, and everything should be organized, as far as possible, to commence operations in March next.”

9. Dr. Forbes Watson, also, in a letter dated 25th June 1861, addressed to the Chairman of the Board, says: “There is time even this season to do a great deal. The position of the several cleaning and packing depôts should be settled, and the buildings should be ready for the reception of the power and other gins, and the necessary presses, by the end of February or early in March.”

10. Dr. Forbes was made acquainted with the contents of the letter of 7th June 1861, quoted by Sir Charles Wood to prove “that no promise was made of a road or pier to be ready by the end of 1861,” and although that letter stated that the road would not be ready by the end of 1861, still Dr. Forbes, it is evident, attached very little importance to it, as evidenced by his wishing our machinery to be in India in time to be erected by February or March 1862. Moreover, in June 1861, Dr. Forbes informed the Directors, and Sir Charles Wood subsequently confirms his statement, that the Madras Government had been instructed to hand over to the Bombay Government the District of North Canara. Dr. Forbes at the same time stated to the Directors that the works in progress upon the road and pier would be greatly accelerated by the transfer to Bombay; and most distinctly, as has been shown from his letter, confirmed the Directors in their belief that both pier and road would be ready in time for the arrival of the machinery. In proof of this statement the Directors refer to the following passage of Mr. Haywood's printed letter, dated Coompta, 18th October 1861: “Dr. Forbes says, that if the line of road were in the hands of the Bombay Government he could answer for the completion of the road in time for the next cotton season.” Dr. Forbes was in constant communication and correspondence, not only with the India House, but also with the Government authorities and officers in India, and his advice and information were regarded by the Directors as reliable and official. But the letter of 7th June, quoted by Sir Charles Wood, although speaking of the road never refers to the pier, and it was but reasonable for the Directors to believe that whatever might be the position of the road, the pier at least would be ready for unloading the machinery by the end of 1861. No information whatever was conveyed to the Directors to the contrary by Sir Charles Wood.

11. It may be said that Sir Charles Wood cannot be held responsible for any statements of Dr. Forbes. This the Directors cannot admit, as Dr. Forbes was unquestionably the accredited and recognised medium of communication in all the negotiations then in progress between them and the India Office, and, if not, the Directors were all along greatly deceived.

12. On every fair and reasonable ground the Directors still maintain that the Indian Government promised that the pier and road should be ready by the end of 1861.

13. Sir Charles Wood, referring to the fact of Mr. Haywood's arrival in Bombay at the end of August 1861, states, "that with respect to the progress of the works in connexion with the port of Beiteul, the Company from that time had ample means of knowledge through their own agent."

14. The Directors are satisfied that they were kept fully informed as to the progress of the works, so far as information was available; and that Mr. Haywood freely communicated with the local Governments of India, and the officers of the Public Works Department as to the progress of works, is plain from the following evidence:—

15. On the 14th October 1861, Mr. Haywood forwarded to the Government of Bombay the following letter:—

"Sir,

"Sedashegur, 14 October 1861.

"I have the honour to inform you that, in conformity with the instructions of my constituents in Manchester, I have to-day had an interview at this place with the Honourable Mr. Frere, and have inquired of him whether he is now in a position to assign to me a suitable site of land for the purposes of the Manchester Cotton Company at this harbour.

"Before leaving England, in an interview with the Secretary of State for India, I was informed that on my arrival in Bombay I should find that the question of the transfer of that part of North Canara, which includes this port and also the road leading from it into the cotton districts of Dharwar, would be settled; and, moreover, that the Governor of Bombay would be in a position to grant to me, on behalf of the Manchester Cotton Company, such a site of land as I should require.

"I regret now to have to state that Mr. Frere, after an interview with the Governor of Madras, has informed me that the Bombay Government is not in a position to place such land at my disposal, in consequence of the transfer of the port, and the country in its vicinity, not having been agreed to by the Madras Government.

"I am now waiting the arrival of a large consignment of machinery, already on its way here, from the Manchester Cotton Company; and unless the Government of Bombay can speedily be put in a position to fulfil the conditions made by Sir Charles Wood, and on the faith of which our enterprise was undertaken, I fear that, as my stay in India is limited, I may have instructions to send back to England the machinery and engineering establishment accompanying it, and return home without having accomplished one of the principal objects of my mission, to the serious loss and dissatisfaction of the cotton trade of Lancashire.

"Under these circumstances, I beg respectfully to request, should his Excellency the Governor think proper to do so, that this representation be submitted to the consideration of the Supreme Government in India, as I believe that the Governor General is already fully empowered to place the Bombay Government in a position to put me in possession of such land as I may require to lease or purchase.

"I make this request in order to obviate the delay which a reference to England must entail.

"I have, &c.

"G. R. Haywood."

16. In his letter from Coompta of the 18th October 1861, he gives an account of his interviews at Sedashegur with Sir William Denison and Mr., now the Honourable Mr. Frere, of the Bombay Government. He also refers to his interview with Captain Fraser, who was there, and had surveyed the harbour.

17. From Dharwar he wrote that he had seen Captain Playfair, who furnished him with information as to the state of the road in progress through the Dharwar district to the Madras frontier, and that information was received by the Directors. He also reported from Dharwar the progress being made by Captain Walker with his portion of the road from the Bombay frontier to Sedashegur.

18. On Mr. Haywood's return from an inspection of the Dharwar cotton districts he reported (20th December 1861) information he had obtained from Captain Baker as to his own progress and that of other officers employed upon the line of road. On his way down the Kyga Ghat to Sedashegur, Mr. Haywood spent many hours with the engineer in charge of the ghaut road, and the information he then obtained was communicated to the Directors. On reaching Sedashegur on the 24th December, Mr. Haywood had several conversations with Captain Walker, the Chief Engineer for North Canara. On his arrival in Bombay, 9th January 1862, he reported that "he had waited upon his Excellency Sir George Clerk, and given him, at his request, a statement (verbal) of my views and experience in passing through the Dharwar districts. I informed him of the state of the road, and generally gave him the information now communicated to you. He states that he will do all in his power to get the road open speedily, and that he has already sent officers down to inspect and push on the works. He wishes me also to have an interview with Colonel Turner, who is at the head of the Engineers' Department, that I may advise with him as to what is needed to be done." Mr. Haywood waited upon Colonel Turner in accordance with this request.

19. It now appears from your letter that no less than four changes have been made in the decisions of the Public Works Department in reference to the site of the pier or wharf which

which was originally intended and promised for the unloading of the Company's vessels, and that the accommodation about to be afforded will be available one year and a half later than the time originally promised.

20. Sir Charles Wood further states "that the Directors do not themselves appear to have relied on the assistance of a pier to disembark their machinery."

21. In reply to this statement, the Directors have to remark that they sent out with the "Seringapatam" the necessary means for unloading and of landing the machinery from that vessel, as a precautionary measure, having been informed by their agent, on his arrival at Beitcul in October 1861, that "the site of the pier had not been determined." Mr. Haywood, on reaching Sedashegur, informed the Directors by letter, 18th October 1861, that the pier had not been begun. The Directors received this information a month or five weeks afterwards; by that time the machinery was nearly on board their vessel, their charterparty had been signed, and it was impossible for them to detain her. They were, therefore, compelled to rely upon their agent making the necessary arrangements for unloading her, and they wrote to their agent accordingly.

22. Sir Charles Wood is rightly informed that the Company's agent was compelled to unload under Carwar Head, on the side of the bay opposite to the Company's premises, on account of the approach of the monsoon; but this was entirely owing to the absence of the pier promised to be provided by the Government. With such a pier the vessel would have been speedily unloaded, and Sir Charles Wood has therefore been erroneously informed as to the necessity of landing under Carwar Head, owing to "the late despatch of the Company's vessel." For this the Government and not the Company is most distinctly responsible, through the non-fulfilment of its promises.

23. Sir Charles Wood says that he cannot conceal his astonishment at the following statement of the Directors, that "had the Company been in a position to purchase and cart cotton to Beitcul for pressing and shipment at the time originally arranged for with the Government, it is impossible to estimate the profit which might have accrued to the Company from its purchasing, cleaning, and pressing operations. All this, the Directors add, is a clear loss to the Company."

24. Upon which Sir Charles Wood remarks that "as the 'Seringapatam' reached Beitcul only on the 6th of May 1862, it would have been impossible for the presses to have been set to work during the fair season of that year," and in corroboration, quotes the following extract from one of Mr. Haywood's letters to the Directors, dated Bombay, 11th February 1862. "I learn that there is no probability of the 'Seringapatam' arriving under four months. This will bring her to Sedashegur about the middle of April, as she left, according to your letter, about the 10th or 12th of December. The rains commence about the 10th of June, so that we have only two months, or thereabouts, for unloading and erecting the buildings before the rains set in. It is evident, therefore, that no actual work can be done this season."

25. In reply, the Directors not only repeat their statement, but substantiate it on the following grounds, viz.: had the pier as promised been ready by the end of 1861, and had the road from Beitcul to Dharwar been completed even four months after the end of 1861, an entirely different phase would have been thrown over the position of the Company at home, and of its agents in India. With facilities of unloading in view, the Company's agent could have employed the time, labour, and material lost (as has been shown) upon preparing foundations for the buildings and presses, and these could have been so advanced as to have enabled the Company to be in a position for work by the beginning of October last; for this they have the assertion of Dr. Forbes himself. Had the road been ready, the cleaning machinery intended for the cotton districts could have been despatched up country, together with the workmen, who were sent out expressly for its erection before the monsoon set in, and during the monsoon they could have set the machinery in working order.

26. The erection of the presses and necessary buildings would have been proceeded with, and the Company at once placed in a position to enter fairly upon a profitable business, arising from the working of their machinery and other operations.

27. The statement of Dr. Forbes, that "when he left home with Mr. Haywood it was on the distinct understanding that full powers had been conferred upon that gentleman to act for the Company with respect to the purchase of cotton, with the command of ample funds for all these purposes." The Directors beg to quote the following extracts from Dr. Forbes' letter to the Directors, of 25th June 1861, a fortnight prior to his leaving England:—"I have learned from very good authority in London that orders have been sent out to India for the purchase of cotton to a very large extent, and also that merchants are preparing to buy in the Dharwar districts to a very considerable figure, so largely indeed that it is very doubtful whether it would be prudent on the part of the Directors to do more than make one or two experimental purchases of moderate amount."

28. It was never intended by the Company to send cotton by way of Coompta as other merchants, such cotton being always liable to adulteration and under the necessity of being sent to Bombay for pressing.

29. The main object of the Company from the outset having been, as Dr. Forbes well knew and advised, to send home such cotton from the port of Sedashegur, cleaned and

pressed by the Company's machinery, as it was always intended by this process to demonstrate to the trade of Lancashire that India could furnish cotton of such quality and in such condition as would compete with that of America. The absence of both pier and road has so far totally defeated this intention.

30. The allegations of your letter have now been successively and fully replied to, and the Directors repeat their claim for compensation on the grounds stated in their former letter.

I have, &c.
(signed) *Hugh Mason*, Chairman.

T. G. Baring, Esq., M.P.,
Under Secretary of State for India.

To *Hugh Mason*, Esq.

Sir,

India Office, 22 May 1863.

1. I AM directed by Sir Charles Wood to acknowledge the receipt of your letter of the 23d of March, and to inform you that it has received his careful consideration in Council.

2. The Directors of the Manchester Cotton Company (Limited), repeat their original statement, that the communication to them on the 12th of April 1861, of the intentions of the Madras Government with respect to the probable date of the completion of the works in connexion with the port of Beiteul "conveyed by Sir Charles Wood to the Directors a clear and positive promise as to a definite time by which the pier and the road would be ready."

3. On this point Sir Charles Wood can only repeat that the communication of the intentions of the Madras Government could not constitute a promise on the part of the Secretary of State as to the time when the road and pier would be ready. He gave to the Directors the only information of which he was in possession, and he had no other means of forming an opinion. The Directors admit that within two months, namely, on the 7th of June 1861, they were informed that the Government of Madras did not expect that the road would be completed by the time mentioned in the letter of the 12th of April, but they state that their expectations were not materially modified by that information. They appeal to the opinion of Dr. Forbes as to the date at which the works would be finished, and contend that the Secretary of State is responsible for that opinion, because Dr. Forbes "was unquestionably the accredited and recognised medium of communication in all the negotiations then in progress between them and the India Office."

4. Sir Charles Wood is not aware what opinions or information Dr. Forbes gave to the Company, but that gentleman certainly was not the accredited and recognised agent of the Secretary of State in the communications with the Company. The nature of his connexion with the Company is clear, from a correspondence which commenced with an urgent request, addressed to the Secretary of State by order of the Directors, in the following terms:—

"Manchester Cotton Company (Limited),
1 Newall's Buildings, Manchester,
20 February 1861.

"Sir,

"A Company has been formed in Manchester styled the Manchester Cotton Company (Limited), having for its object the purchase of cotton in India and other countries. From the very valuable information obtained through Dr. Forbes, the acting Directors of this Company have determined to establish an agency in the cotton-growing district of Dharwar. It has been resolved, as a preliminary measure, to send out a representative of the Company, to make the necessary local arrangements for commencing their operations. In taking this step, the acting Directors feel that the advice and co-operation of Dr. Forbes on the spot is a matter of essential importance to the success of the project. The Directors, therefore, respectfully request that the Right honourable the Secretary of State for India will be pleased to place the services of Dr. Forbes temporarily at the disposal of the Company, to aid their representative during his stay in India (which may extend over a few months), in carrying out the objects of his mission. As the representative of the Company will leave England in the same steamer with Dr. Forbes, the acting directors will feel greatly obliged by as early a reply as convenient to this communication.

"I have, &c.
(signed) *G. R. Haywood*, Secretary."

"To the Right Honourable
Sir Charles Wood, Bart., M.P."

5. To this letter Mr. Merivale replied on the 25th of February: "I have to acquaint you that Sir Charles Wood will be happy to authorise Dr. Forbes to render to the representative of the Company any assistance which he may be able to afford, consistently with the due discharge of the duties of the office which he now holds. A copy of this letter will be furnished to Dr. Forbes."

6. The office which he held was not any office in this country, but that of superintendent of the cotton gin factory at Dharwar; and the inference from this correspondence is, that he was, as regards the matter in question, rather attached to the service of the Company than to that of the Secretary of State.

7. But

7. But further, there were no negotiations between the Government and the Company which required the services of an agent. The Directors addressed their requests for information directly to the India Office, in the usual manner, and received answers to them direct from the India Office; and, in reference to the time for the completion of the road, they did receive direct from the Secretary of State within two months after the communication of April, and five months before their first vessel was dispatched, information that the road would not be ready by the time mentioned in the communication of April. If they neglected that information, the Secretary of State clearly cannot be held responsible for any consequences which may have occurred, and the Directors cannot complain that they were misled by any previous communication from him.

8. With reference to the further question whether the Directors are justified in asserting that the Company have sustained serious losses, in consequence of the delay which has occurred in completing the works at Beitcul, I am to make the following observations.

9. As to the expense incurred for the trans-shipment of the machinery, the Directors admit that it was unloaded on the side of the Bay opposite to the Company's premises on account of the approach of the monsoon; but they say that this was entirely owing to the absence of the pier promised to be provided by the Government. Sir C. Wood is informed, on the contrary, that if proper preparations for the shelter of the machinery had been made on the Company's premises, it might easily have been landed there; and I am also to observe that the pier was not intended for the purpose of unloading the cargo of machinery which the Company proposed to dispatch. The object of constructing a pier was to facilitate the shipment of cotton from the port of Beitcul, and so far from any expectation having been held out to the Company's agent that a pier would be constructed on the land which he purchased for the Company, Sir William Denison distinctly states that Mr. Haywood was perfectly aware when he selected the site that no such pier was intended to be built there.

10. The Directors state that if the road to Beitcul had been ready, the cleaning machinery intended for the cotton districts would have been dispatched up country before the monsoon of 1862 set in. Sir Charles Wood is informed that the machinery having arrived in the month of May 1862, that is at the very beginning of the monsoon, could not possibly have been moved until the fair season had opened the roads for traffic.

11. The Directors having complained that losses had been incurred by the Company in consequence of their not having been able to "purchase and cart cotton to Beitcul," I was directed to acquaint you that Sir Charles Wood had been informed by Dr. Forbes that the Company's agent had no authority to purchase cotton, and in fact declined to do so when a favourable opportunity offered. It now appears that the original intention of the Company to purchase cotton was abandoned before Mr. Haywood left England, and therefore Sir Charles Wood cannot understand how the Company can complain of losses and prefer a claim for compensation on the ground that they were prevented by the act of Government from pursuing operations which they had themselves determined to abandon.

12. I am directed, in conclusion, to acquaint you that the Secretary of State in Council adheres to the decision communicated to you in my letter of the 19th February last, that the claim for compensation in the amount of 20,000 *l.* advanced by the Directors of the Manchester Cotton Company (Limited) cannot be admitted.

I am, &c.
(signed) *T. G. Baring.*

EAST INDIA (SEDASHEGUR HARBOUR).

COPY OF CORRESPONDENCE relative to the
HARBOUR OF SEDASHEGUR, and Roads lead-
ing thereto.

(*Lord Stanley.*)

*Ordered, by The House of Commons, to be Printed,
1 June 1863.*

263
EAST INDIA (TEA PLANTATIONS).

RETURN to an Address of the Honourable The House of Commons,
dated 5 March 1863;—for,

“COPY of any REPORTS made to the Government on the EXTENSION of
TEA PLANTATIONS in *India*.”

India Office, }
9 March 1863. }

FRANCIS W. PRIDEAUX,
Secretary, Revenue Department.

(*Mr. William Ewart.*)

Ordered, by The House of Commons, to be Printed,
12 March 1863.

TABLE OF CONTENTS.

No.		DATE.		PAGE.
1	Government of Bengal (Extract Narrative).	25 Sept. 1857 (No. 7.)	Tea Seeds supplied from Government Plantation.	3
2	Secretary of State to Government of India.	26 May 1859 (No. 3.)	Ditto - ditto - - -	8
3	Government of Bengal (Extract Narrative).	18 Feb. 1859 (No. 1.)	Experimental Cultivation of Tea in Cachar.	8
4	Secretary of State to Government of India.	22 Mar. 1860 (No. 19.)	Ditto - ditto - - -	11
5	Government of Madras to Secretary of State.	24 Aug. 1860	Report by Dr. Cleghorn on the Growth of the Tea Plant in the Neilgherries, &c.	11
6	Secretary of State to Government of Madras.	31 Oct. 1860 (No. 73.)	Ditto - ditto - - -	14
7	Extract Report of Conservator of Forests, Madras, 1859-60.	31 Aug. 1860	Tea, Southern India - -	15
8	Secretary of State to Government of Madras.	16 Oct. 1861 (No. 66.)	Ditto - ditto - - -	15
9	Report from Superintendent, Botanical Gardens, to Government, North Western Provinces.	12 May 1862	Government Tea Plantations -	15
10	Government of Madras to Secretary of State.	26 May 1862 (No. 37.)	Engagement of persons skilled in Tea Manufacture.	20
11	Secretary of State to Government of Madras.	14 Aug. 1862 (No. 31.)	Ditto - ditto - - -	24
12	Government of Madras to Secretary of State.	12 Sept. 1862 (No. 62.)	Ditto - ditto - - -	24
13	Secretary of State to Government of Madras.	8 Nov. 1862 (No. 47.)	Ditto - ditto - - -	29
14	Government of India to Secretary of State.	7 Jan. 1863	Report on the Capabilities of Chittagong for the Growth of Tea and Coffee.	29

COPY of any REPORTS made to the Government on the EXTENSION of TEA
PLANTATIONS in India.

— No. 1. —

EXTRACT from a Narrative of the Proceedings of the Government of Bengal in
the Revenue Department (No. 7 of 1857), dated 25 September.

ASSAM.

Para 1. THE papers noted in the margin relate to tea seeds supplied from the Government plantations at Kumaon to the Commissioner of Assam for distribution in that province.

Supply of tea seeds to the Commissioner of Assam.

R. P., 11 September 1856,	Nos. 16 @ 18.
" 30 October "	31 and 32.
" 20 November "	3.
" 11 December "	6.
" 12 March - 1857	1 @ 3.

Enclosure 1, in No. 1.

EXTRACT from the Proceedings of the Government of Bengal in the Revenue Department,
under date 11 September 1856.

(No. 330.)

From the Officiating Secretary to the Board of Revenue, Lower Provinces, to the Secretary
to the Government of Bengal; dated Fort William, 3 September 1856.

No. 16.

Land Revenue.
W. Dampier and H
Stainforth, Esqrs.

Sir,

I AM directed by the Board of Revenue to submit for the favourable consideration and orders of the Lieutenant-Governor of Bengal, the accompanying copy of a letter from the Commissioner of Assam, No. 70, dated the 15th ultimo, applying on behalf of an Assam tea planter for two or three maunds of the green tea seed which Mr. Fortune has introduced into the Kumaon Government plantation.

2. The Board recommend that a small quantity of each kind of seed, if available, be supplied for distribution, three-fourths in Assam and one-fourth in Cachar, with a view to furthering Colonel Jenkins' project in the former province, and developing the resources of the latter district.

I have, &c.
(signed) E. T. Trevor,
Officiating Secretary.

Enclosure 2, in No. 1.

(No. 70.)

From Colonel F. Jenkins, Commissioner of Revenue, Assam, to the Board of Revenue,
Lower Provinces, Fort William; dated Gowahatty, 15 August 1856.

Gentlemen,

A GENTLEMAN tea planter of Assam, wishing to procure some of the seed of the green tea and of the true Bohea variety, which he understands Mr. Fortune has introduced into the Kumaon Government plantations, has applied to me to endeavour to get him two or three maunds of seed, for which he will be glad to pay all expenses, and I would beg to request the Board's good offices in his favour.

2. It must always be desirable to try in this province any variety of good tea, of which we can obtain information, and I would beg to request that on Mr. Fortune's importing any

further supplies, that small quantities of each despatch should be placed at my disposal for distribution in the province, to such persons as would be willing to pay the charges attendant on the importation; and if I could be informed of the probable costs previously, I would be glad to make the same known to all the planters.

I have, &c.
(signed) *T. Jenkins*,
Commissioner of Revenue.

Board of Revenue, Fort William,
3 September 1856.

(True copy.)
(signed) *E. T. Trevor*,
Officiating Secretary.

Enclosure 3, in No. 1.

No. 13.

(No. 247.)

Revenue.

From the Secretary to the Government of Bengal to *R. Fortune*, Esq.; dated Fort William,
8 September 1856.

Sir,

* No. 70, dated
15 August 1856.

I AM directed by the Lieutenant Governor of Bengal to forward to you the accompanying copy of a letter* from Colonel Jenkins, the agent to the Governor General in Assam, and to request that you will be good enough to comply with the request of that officer for a supply of green tea seed so far as you may be able to do so.

2. The Board of Revenue, through whom this letter was forwarded to Government, have suggested that whatever quantity of seed may be sent, should be distributed between Assam and the province of Cachar, in the proportion of three-fourths to the former and one-fourth to the latter. If, therefore, you will be good enough to send the seed to Calcutta, packed in the proportions suggested, the packages will be forwarded from here to their respective destinations.

I have, &c.
(signed) *W. Grey*,
Secretary to the Government of Bengal.

(No. 634.)

COPY forwarded to the Officiating Secretary to the Board of Revenue for information with reference to this letter, No. 330, dated 3d instant.

Enclosure 4, in No. 1.

EXTRACT from the Proceedings of the Government of Bengal in the Revenue Department, under date 30 October 1856.

No. 31.

From *R. Fortune*, Esq., to *W. Grey*, Esq., Secretary to the Government of Bengal.

H. C. Steamer "Megna," off Benerus,
14 October 1856.

Sir,

I HAVE the honour to acknowledge the receipt of a letter from you, dated the 8th of September, with its enclosure. In reply, I beg to inform you that having left China for some time (nine months), I have no means of complying with Colonel Jenkins' request to forward seeds of the finest kinds of tea for the new plantations in Assam. The same remark applies to the suggestions of the Board of Revenue, that a proportion of such seeds should be sent to the province of Cachar where tea plantations are now being formed.

I regret this very much, for had such an application been made to me while in China, I would have had great pleasure in complying with the wishes of the Honourable the Lieutenant Governor expressed in your letter. As I expect to reach Calcutta in a few days, *en route* for England, I shall have the honour of calling upon you, and shall then explain this matter more fully.

I am, &c.
(signed) *R. Fortune*.

Enclosure 5, in No. 1.

(No. 282.)

From the Secretary to the Government of Bengal to the Secretary to the Government,
North Western Provinces; dated Fort William, 23 October 1856.

No. 32.
Revenue.

Sir,

I AM directed to forward the accompanying extract para. 1 of a letter, No. 70, dated the 15th of August, from the Commissioner of Assam, and to state that the Lieutenant Governor will be glad if the quantity of seed named by Colonel Jenkins can, with the permission of his Honour the Lieutenant Governor, North Western Provinces, be supplied to him from the Kumaon plantations, and also if another maund of the same seed can be sent to Calcutta for transmission to Cachar.

I have, &c.
(signed) *W. Grey*,
Secretary to the Government of Bengal.

Enclosure 6, in No. 1.

EXTRACT from the Proceedings of the Government of Bengal, in the Revenue Department,
under date 20 November 1856.

No. 3.

(No. 5781 of 1856.)

From *R. C. Oldfield*, Esq., Assistant Secretary to Government, North Western Provinces, Revenue Department,
to the Superintendent of Tea Plantations, North Western Provinces; dated Agra,
11 November 1856.

Sir,

I AM directed by the Honourable Lieutenant Governor to forward the accompanying copy of a letter, No. 282, dated 23d ultimo, from the Government of Bengal, and to direct early compliance with the request therein contained for two or three maunds of seed of the "green" and "Bohea" teas, introduced by Mr. Fortune into the Kumaon plantations.

Agra, 11 Nov. 1856.

I have, &c.
(signed) *R. C. Oldfield*,
Assistant Secretary to Government,
North Western Provinces.

Enclosure 7, in No. 1.

(No. 5782 of 1856.)

Revenue Department, North Western Provinces, dated Agra, 11 November 1856.

ORDERED, that copy of the above be forwarded to the Secretary to the Government of Order.
Bengal, for information in reply.

(signed) *R. C. Oldfield*,
Assistant Secretary to Government,
North Western Provinces.

(No. 812.)

COPY forwarded to the officiating Secretary to the Board of Revenue, for information
with reference to his letter, No. 330, dated the 3d September last.

Fort William,
18 November 1856.

By order, &c.
(signed) *W. Grey*,
Secretary to the Government of Bengal.

Enclosure 8, in No. 1.

EXTRACT from the Proceedings of the Government of Bengal, in the Revenue Department,
under date 11 December 1856.

No. 6.

(No. 686.)

General Depart-
ment.

From *W. Jameson*, Esq., Superintendent, Botanical Garden, North Western Provinces, to
R. C. Oldfield, Esq., Assistant Secretary to Government, North Western Provinces,
Agra; dated Seharunpore, 15 November 1856.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 5781, dated the 11th instant, with enclosure, and in reply, beg to state that the indent for tea seeds will be complied with as soon as possible.

Office of the Superintendent,
Botanical Garden,
North Western Provinces.

I have, &c.
(signed) *W. Jameson*,
Superintendent, Botanical Garden,
North Western Provinces.

(No. 6117 of 1856.)

Revenue Department, North Western Provinces, dated Agra, 3 December 1856.

ORDERED, that a copy of the foregoing be sent to the Secretary to Government of Bengal, for information with reference to this Government docket, No. 5782 of 11th ultimo.

(signed) *R. C. Oldfield*,
Assistant Secretary to Government.

(No. 877.)

COPY forwarded to the officiating Secretary to the Board of Revenue, in continuance of endorsement, No. 812, of the 18th ultimo.

Fort William,
9 December 1856.

By order, &c.
(signed) *C. T. Buckland*,
Junior Secretary to the Government of Bengal.

Enclosure 9, in No. 1.

No. 1.

EXTRACT from the Proceedings of the Government of Bengal in the Revenue Department,
under date 12 March 1857.

From Messrs. *Allan, Deffell & Co.*, to *R. B. Chapman*, Esq., Officiating Under Secretary to the Government of India, Home Department.

Sir,

Calcutta, 12 February 1857.

COLONEL F. JENKINS, of Gowhatty, Assam, has requested us to take charge of three maunds of tea seed despatched per bullock train by Surgeon *W. Jameson*, for him, to your care, as per copy of his letter annexed, to the address of Colonel *F. Jenkins*, dated Camp Holta, Kangra, 7th ultimo, which we shall be happy to do. If the seed has arrived, or when it does arrive, on your intimating the same to us, we shall be glad to send for it. We also annex copy of Colonel *Jenkins*' letter to us, dated Cooch Behar, 2d instant, on the subject of this tea seed, and shall feel obliged by your requesting the Superintendent of Marine to send instructions to the Steam Office to receive the seed "free of freight," by the steamer, to Gowhatty, Assam, as Colonel *Jenkins* states in his letter that it is not for himself but for distribution in the province.

Colonel *Jenkins* also states in his letter to us that he wanted to share in the tea seed imported from China by Mr. Fortune, but he does not know what has been sent to him. We shall be obliged by any information you may be able to give on this point.

We have, &c.
(signed) *Allan, Deffell & Co.*

Enclosure

Enclosure 10, in No. 1.

From *Wm. Jameson*, Esq., to Colonel *Jenkins*, Commissioner, Gowhatty, Assam,
dated Camp Holta, Kungra, 7 January 1857.

My dear Sir,

By orders of Government I have sent three maunds of tea seeds, but as in your letter to the Revenue Board you did not mention the name of your Calcutta agent, I sent them, per bullock train, to the care of Mr. Chapman, Assistant Secretary to Government of Bengal, through whom the request for the seeds came. Be so good as to order your agents in Calcutta to receive them on arrival.

Believe me, &c.
(signed) *Wm. Jameson*.

Enclosure 11, in No. 1.

From *F. Jenkins*, Esq., to Messrs. *Allan, Deffell & Co.*, dated Cooch Behar,
2 February 1857.

Dear Gentlemen,

Will you be good enough to inquire regarding the seeds mentioned within, and forward them to me. Mr. Chapman will probably be good enough to frank them by the steamer; the seeds are not for me, but for distribution in the province.

What I wanted was to share in the seeds imported from China by Mr. Fortune; what Mr. Jameson has sent me I know not; but if they are seeds of good stock, they may serve as well as those imported direct.

I am &c.
(signed) *F. Jenkins*.

(No. 310.)

TRANSFERRED to the Government of Bengal for disposal, together with copy of the reply sent to Messrs. *Allan, Deffell & Co.*

Home Department,
23 February 1857.

By order, &c.
(signed) *R. B. Chapman*,
Officiating Under Secretary.

Enclosure 12, in No. 1.

(No. 407.)

From *R. B. Chapman*, Esq., Officiating Under Secretary to the Government of India,
to Messrs. *Allan, Deffell & Co.*, dated 23 February 1857.

No. 2.

Gentlemen,

Your letter dated the 12th instant respecting certain tea seeds intended for Colonel *Jenkins* has been transferred to the Government of Bengal for orders, to which Government the seeds, if received at this office, will also be forwarded.

I have, &c.
(signed) *R. B. Chapman*,
Officiating Under Secretary to the Government
of India.

Council Chamber,
23 February 1857.

(True copy.)

(signed) *R. B. Chapman*,
Officiating Under Secretary to the Government
of India.

(No. 105.)

Enclosure 13, in No. 1.

From *E. H. Lushington*, Esq., in charge of the Office of the Secretary to the Government of Bengal at the Presidency, to Messrs. *Allan, Deffell & Co.*, Calcutta; dated Fort William, 10 March 1857.

No. 3.
Revenue.

Gentlemen,

With reference to your letter, dated the 12th ultimo, to the Officiating Under Secretary to the Government of India, Home Department, I am directed to forward herewith the three boxes of tea seeds referred to in Colonel *Jenkins*' letter of the 2d idem to your address.

2. The Superintendent of Marine will be requested to issue the necessary instructions for receiving the tea seeds, free of freight, on board a steamer proceeding to Gowhatty, for delivery to the Commissioner of Assam.

I have, &c.

(signed) *E. H. Lushington,*

In charge of the Office of the Secretary to the Government of Bengal at the Presidency.

(No. 106.)

COPY of the foregoing letter forwarded to the Superintendent of Marine for his information and guidance.

(No. 107.)

COPY of the foregoing letter forwarded to the Secretary to the Board of Revenue for information with reference to his letter, No. 330, dated the 3d September last.

— No. 2. —

EXTRACT REVENUE LETTER to *India*, 26 May (No. 3) 1859.

Letter from, 16 November (No. 15) 1857.
Narrative dated 25 September (No. 7) 1857.

ASSAM.

(1.) Tea seeds supplied to Commissioner for distribution from the Government plantations at Kumaon.

30. It is very satisfactory to find that there is a demand for tea seeds for private plantations in the districts of Assam and Northern Cachar, and that Captain Jenkins' application for some for distribution was so promptly complied with. I shall be glad to hear that success has attended the cultivation of this plant, as it seems likely to prove of much use in civilising and giving security to these wild districts.

— No. 3. —

COLLECTION No. 5.

EXTRACT from a Narrative of the Proceedings of the Government of Bengal in the Revenue Department, No. 1 of 1859, dated 18 February.

CACHAR.

Report on the Tea Plantations in Cachar.
R. P., 26 November 1857, No. 7.
" 8 July " Nos. 15 & 16.

8. IN consequence of the remarks made by the late Honourable Court, in paragraph 5 of their Revenue Despatch, No. 12 of 1857,* on the offer of one Mr. Williamson to undertake the experimental cultivation of tea in Cachar, the Board were requested to submit a report on the subject.

9. As it appeared from the report submitted, that the cultivation of the tea plant in Cachar was extensively and vigorously prosecuted by numerous parties, both singly and in companies, the Lieutenant Governor considered that the establishment of a Government tea plantation in that district would be superfluous, and attended with no advantage.

* EXTRACT REVENUE DESPATCH from the Court of Directors, 2 September (No. 12) 1857, referred to above.

Discovery of the real tea plant in the province (Cachar). Offer of Mr. Williamson to engage for lands for a tea plantation, if he were made acquainted with the terms on which a grant could be obtained, referred to the Board of Revenue. Reward of 50 rupees to the person who made the discovery sanctioned, and offer of a further reward for the discovery of coal or lime approved.

5. WE shall be glad to learn that arrangements have been concluded with Mr. Williamson (who has already a tea plantation in Assam) to enable him to undertake the experimental cultivation of tea in Cachar, so as to render the establishment of a Government plantation there unnecessary.

Enclosure

Enclosure 1, in No. 3.

EXTRACT from the Proceedings of the Government of Bengal in the Revenue Department, under date 26th November 1857.

(No. 553.)

From the Junior Secretary to the Government of Bengal to the Secretary to the Board of Revenue; dated Fort William, 13 November 1857. No. 7.

Sir,

Revenue.

WITH reference to the correspondence noted in the margin,* I am directed to forward herewith to the Board of Revenue for report an extract, paragraph 5, of a Despatch, No. 12 of 1857, from the Honourable the Court of Directors.

*Letter from the Under Secretary to the Government of Bengal to the Secretary to the Board of Revenue, No. 4 dated 26 July 1855.
Board to Government, No. 373, dated 14 November 1857.
Ditto - - ditto " 435, dated 22 December 1857.
Government to Board, " 45, dated 12 January 1858.

I have, &c.

(signed) C. T. Buckland.

Junior Secretary to the Government of Bengal.

Enclosure 2, in No. 3.

EXTRACT from the Proceedings of the Government of Bengal, in the Revenue Department, under date 8th July 1858.

(No. 15.)

From E. T. Trevor, Esq., Secretary to the Board of Revenue, L. P., to the Secretary to the Government of Bengal (No. 215), dated 18 June 1858.

Sir,

WITH reference to Government Order No. 553, dated 13th November last, I am directed by the Board of Revenue to submit the accompanying copy of a letter from Mr. Allen, member of the Board of Revenue, on deputation, No. 718, dated 28th ult., and its enclosures, reporting on the tea plantations of Cachar.

2. It will be seen that both the superintendent of Cachar and Mr. Allen are of opinion, that a Government plantation is quite unnecessary for the encouragement of the cultivation of tea in Cachar.

Enclosure 3, in No. 3.

From W. J. Allen, Esq., Member of the Board of Revenue, on deputation, to E. T. Trevor, Esq., Secretary to the Board of Revenue, L. P., (No. 718), dated 28th May 1858.

Sir,

WITH reference to your letter, No. 144, of the 23d ultimo, with enclosure, I have the honour to forward for the information of the Board, in original, a letter† of the Superintendent of Cachar, containing the information called for by the Honourable the Court of Directors regarding the grant of lands in Cachar for the cultivation of tea and the progress made in the tea plantations.

†No. 88, dated 2 instant, with two statements.

2. I concur with the superintendent in thinking that a Government plantation is not at all required in Cachar for the encouragement of the cultivation of tea. Most of the tea planters are pursuing their vocation with energy and success, and any interference on the part of Government with tea planting in Cachar, is not likely, I think, to be attended with any advantage.

Enclosure 4, in No. 3.

From Lieutenant R. Stewart, Officiating Superintendent of Cachar, to the Commissioner of Revenue, Cherrah (No. 88), dated Cachar, 26th May 1858.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 688, dated 10th May 1858, with enclosures, and as requested, beg to forward the two forms duly filled up.

2. You will perceive that only one of the grants has as yet been regularly settled. The others have mostly all been surveyed, and some of them partially mapped; but in the latter part of the work consists the great difficulty, as there is only one competent draftsman in Cachar.

3. The delay in the final settlement of these grants has not in the least retarded the progress of the cultivation, and all the applicants who have felt so inclined have commenced operations. Some three or four thousand acres must already be cleared, and the yield of tea during the present year may be estimated at not less than two or three hundred maunds gathered almost entirely from the indigenous trees.

4. In my opinion a Government experimental plantation is quite unnecessary, as most of the parties engaged have entered into the concern with spirit, and are most sanguinely alive to its profits, which are described to be enormous.

(No. 1.)

LIST of TEA TRACTS in the Cachar District granted under the Rules for the Grant of Waste Lands in Assam.

Number of Grant.	Name of Grant.	Name of Grantee.	Name of Occupant or Manager.	Date on which Grant was given.	AREA.		Annual Rent.	REMARKS.
					District Measurement.	Acres.		
1	Burrasungun	G. Williamson	Soroop Ram, Jemadar.	1st May 1856.	454 halls 4 J. R., 1 P.	742 acres 26 polee.	16 years' rent free, 10 years at Rs. 104 5. 10. 73 years at Rs. 208 11. 8.	Mr. Williamson is allowed one year rent free, more than the period granted by the Assam Rules, in consideration of his being the first applicant.

(No. 2.)

LIST of APPLICATIONS under the ASSAM RULES, for TEA LANDS for which formal GRANTS have not yet been made.

Number.	Name of Applicant.	Estimated Area.			REMARKS.
		Acres	r.	p.	
2	J. P. Wyse & Co. - -	669	0	23	This grant is surveyed, and the map is nearly ready.
3	Borrodaile & Co. - -	2,351	1	3	Surveyed, but not mapped.
5	Cachar Company - -	12,075	3	29	This grant is surveyed and mapped, and ready for confirmation, awaiting a reference to the Company with regard to its means.
6	Moran & Co. - - -	1,512	2	35	Surveyed, but not yet mapped.
7	Assam Company - -	3,849	1	21	Ditto.
8	Borrodaile & Co. - -	799	1	7	Ditto.
11	Borrodaile & Co. - -	2,691	0	11	Ditto.
12	Assam Company - -	2,170	1	2	Ditto.
13	Borrodaile & Co. - -	2,790	2	12	Ditto.
14	Joseph Hogg, for Cachar Tea Association.	14,988	1	7	Ditto.
16	Moran & Co. - - -	519	3	17	Ditto.
18	Wyse & Co. - - -	2,521	0	8	Ditto.
21	Borrodaile & Co. - -	618	1	12	Surveyed, but not mapped.
22	Mr. Francis Tydd - -	490	3	5	Surveyed, and the map is nearly ready.
23	Mr. Foley - - -	4,809	0	30	Surveyed, but not mapped.
25	Bengal Tea Company -	8,415	2	29	Ditto.
27	Mr. Francis Tydd - -	844	3	33	Surveyed, and the map nearly ready.
29	J. P. Wyse & Co. - -	488	2	5	Surveyed, but not mapped.
32	Equitable Tea Company -	1,929	0	7	Ditto.
35	Equitable Tea Company -	888	2	5	Surveyed, and the map nearly ready.
36	Mr. Parker - - -	139	1	7	Surveyed, but not mapped. There is a dispute between this case and No. 25; some of the lands of No. 25 are to be transferred to this case.
40	Assam Company - -	1,445	3	23	Surveyed, but not mapped.
42	Silchar Tea Company -	12,098	3	14	Ditto.
47	Silchar Tea Company -	1,004	0	9	Ditto.
48	Moran & Co. - - -	1,000	0	0	Estimated area not surveyed.
49	Bengal Tea Company -	2,095	2	38	Ditto.
50	Pogose & Thomas - -	1,000	0	0	Ditto.
51	Francis Tydd - - -	500	0	0	Ditto.
52	Francis Tydd - - -	1,000	0	0	Ditto.
53	Pogose & Thomas - -	500	0	0	Ditto.
54	R. Wright, Esq. - -	500	0	0	Ditto.

Enclosure

Enclosure 5, in No. 3.

(No. 16.)

From *A. R. Young*, Esq. Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 1470), dated the 26th June 1858.

Sir,

I AM directed to acknowledge the receipt of your letter, No. 215, dated the 18th instant, and in reply to state that as the cultivation of the tea plant in Cachar appears from Mr. Allen's report to be extensively and vigorously prosecuted by numerous parties, singly and in companies, the Lieutenant Governor considers that the establishment of a Government tea plantation in that district would be superfluous, and attended with no advantage. A report to that effect will be forwarded to the Honourable the Court of Directors.

— No. 4. —

REVENUE LETTER to *India*, dated 22d March (No. 19) 1860.

My Lord,

I HAVE considered in Council the narrative of the proceedings of the Lieutenant Governor of Bengal for the third quarter of 1858, transmitted in your letter of the 22d of July 1859, No. 12, and in reply have only to express my satisfaction that the cultivation of tea in Cachar is being pursued with such energy and success by private individuals, and by companies, as to render any interference for the encouragement of plantations unnecessary.

I have, &c.
(signed) *Charles Wood*.

— No. 5. —

Revenue Department.—No. 90 of 1860.

LETTER from the Government of Madras to the Secretary of State for India.

WE have the honour to forward herewith 20 copies of a useful and interesting report by Dr. Cleghorn, our conservator of forests, on the suitability of various places in this Presidency to the growth of the tea plant.

2. It will be seen from our order of this date, that we have resolved to give publicity to the report.

(signed) *W. A. Morehead.*
Patrick Grant.
E. Maltby.

Fort St. George,
24 August 1860.

Enclosure 1, in No. 5.

(Revenue Department.)

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following Letter from *H. Cleghorn*, Esq., M.D., Conservator of Forests, to *J. D. Bourdillon*, Esq., Secretary to Government, Revenue Department, Fort Saint George; dated Madras, 11th August 1860, No. 96.

Sir,

1. WITH reference to the order of Government, dated 9th November 1859, No. 1531, Revenue Department and Proceedings of Government, dated 25th July 1860, No. 30, Revenue Department, I beg to state that I have found it impossible, owing to my other engagements, to visit the tea plantations at Caldoorty and Udagiri, mentioned by General Cullen, in his letter to the Chief Secretary, dated 27th October 1859.

2. I regret this, as the vegetation of that part of the Travancore territory is most luxuriant, and the lofty ranges stretching towards the Pulnies have been less explored than any other part of the Malabar Ghâts.

3. I have collected from my journal a few notes made during my tours upon the tea plants seen in different districts of the Presidency.

Localities where Tea Plants are growing.

,000 feet..

I. *Shevaroy Hills*.—There are several well grown trees at Yercaud, introduced by G. Fischer, Esq.; these have not been picked or pruned, and, indeed, have been left to nature, but are growing vigorously nevertheless.

,500 feet.
Rainfall, 120
inches; mean temp.
8 degrees.

II. *Coorg*.—A case of plants was brought from China by Colonel (Lieutenant General) Dyce in 1843; these (now trees) appear to me over luxuriant, producing a rapid growth of leaves, and not bearing seed with regularity.

,800 feet.

III. *Nundidroog*.—A number of plants have lately been sent to this hill sanatorium; they were beginning to droop in the Lál Bágh garden, Bangalore, but there is hope of their thriving in their new location. "The mean temperature of Bangalore is 75°, and the average rain-fall 35 inches." The climate being too dry and too hot, the plants necessarily become dwarfed.

,600 feet.
Rainfall and mean.
emp. not known.

IV. *Bababooden Hills*.—Four plants from General Dyce's stock were received from Mercara in 1847; these grew well without care. A packet of fresh China seeds was sent last year: Colonel Porter, Superintendent of Nuggur, raised 23 plants above ghât near the sircar bungalow; and a number of seedlings have been planted out about a thousand feet lower by Mr. Denton, coffee planter.

,000 feet.
Rainfall, 55 inches.

V. *Nilgiri Hills*.—*a*. Coonoor.—A full report of Captain Mann's plantation is recorded in Proceedings of Government, No. 1272, dated 21st September 1859.

Besides this, there are a few plants at the undermentioned places,—

,300 feet.
Rainfall, 60 inches; runpoor seed, and by General F. C. Cotton at Woodcote.
mean temp. 58
degrees.

b. Ootacamund.—Introduced or raised by Mr. M'Ivor, Government gardens, from Saharunpoor seed, and by General F. C. Cotton at Woodcote.

c. Kaity.—Introduced or raised by Sir S. Lushington and Lord Elphinstone.

d. Kulhuty.—Introduced or raised by Mr. Rae.

,100 feet.

VI. *Pulni Hills*.—Major Hamilton reported that a considerable number of tea plants at Kudaikarnal were an inch or two above ground, and appeared fresh and healthy.

,200 feet.

VII. *Curtallam*.—I have received flowering specimens from the old spice garden, which corresponds with the standard figures of *Thea Chinensis*. The shrubs are 20 years old, 12 to 15 feet high, and where the seed came from is not known.

	Altitude.	Rainfall.
Caldooty	6,700 feet.	150 to 200 inches.
Vellymallay, near Udagiri	1,800 "	80 "
Athaboo, near Tinnevely	3,200 "	40 "

VIII. *Travancore*.—Tea trees grow luxuriantly in Messrs. Binny & Co.'s plantations, (formerly Mr. Huxham's), 40 miles east of Quilon on the road to Curtallam, and from whence some plants were procured 10 or 12 years ago, which were planted at Vellymallay near Udagiri, 1,800

feet; and at Athaboo, near Tinnevely frontier, 3,200. At both places they are growing luxuriantly.

These facts are taken from General Cullen's letter to the Madras Government, and I may state that some seeds received from him were planted and thrived on the Nilgiris at an elevation of 5,500 feet.

4. In tea, as in all cultivated plants, there are variations, the discrimination of which is of the utmost importance commercially, and also in an economical point of view, but I have not materials for attempting a precise definition of these differences. This, however, is known that the seed having been obtained from different parts of China, the introduced plant varies in stature exceedingly, from a bushy shrub of 3½ feet to a ramous tree, 25 feet high.

5. There is a vast difference also between the narrow-leaved forms and broad-leaved specimens in some of the localities mentioned.

6. At present the leaves are taken indifferently from several sorts, which should not be done, when preparing tea for commercial purposes; and the means of manufacture are of the rudest description.

Java (under Equator), Siam and China, 10 degrees to 31 degrees N.L. (Fortune).
Rio de Janeiro, 22½ degrees S.L.
Tang-chow-foo, 36 degrees N.L. (Reeves).

Principal districts between 27 degrees and 31 degrees N.L. (Fortune).

*Selections from the Records of the Government of India, No. XXIII., 1857.

7. The tea shrub of commerce, though long confined to Eastern Asia, is now cultivated far beyond the limits of China, and Japan, in Java, (under the Equator) in Assam, the North West Provinces of Hindustan, on the banks of the Rio Janeiro, and recently in North America. From the published reports of Mr. Fortune and Dr. Jameson,* it appears to prefer a climate probably of 67° to 73° mean temperature. Such is nearly the mean temperature of the hill slopes near Kúnúr, Kotagiri, and of many of the valleys in the eastern and northern slopes of the Pulni and Nilgiri Hills, and also of the Bababooden range in Mysore, and of Kudra Muka in South Canara.

8. It ought also to be observed, as illustrative of the hardness of the tea shrub, that the cultivation extends over a great breadth of latitude (from the banks of the Rio Janeiro, 22½° south latitude, to the province of Shan-ting in China, 36½° north latitude,) and that as we recede from the equator, the lower latitude compensates for the difference of altitude. The Chinese cultivate on the lower slopes of the hills, whilst, in the North West Provinces, the culture is carried on between 2,000 and 6,000 feet.

9. This

9. This valuable plant has been found wild in Upper Assam and Cachar, whilst its congeners abound on the Nilgiri and other mountain ranges of this Presidency. Its cultivation, therefore, might be attempted with good prospect of success in any of the localities mentioned in para. 7. In the case of Captain Mann's plantation near Kúnúr, we have the opinion of four competent judges* that the experiment had entirely succeeded as regards the growth of the plant.

It now only remains to prove the merchantable character of the leaf, and this I hope will soon be tested.

10. So far as I can judge, the aid of a few practised manipulators is all that is required to conduct the manufacturing processes. This I recommended in my † letter to Government, and I would beg again to solicit their attention to the proposal. Enclosed is a letter on this subject received by me from Dr. Jameson, at the time the question was broached; also extracts from Sir Emerson Tennant's erudite work on Ceylon, corroborative of the views expressed on this important point.

11. Much useful information will be obtained from Fortune's works, especially his "Visit to the Tea Districts of China," and "A short guide to Planters cultivating Teas in the Himalayas and Kohistan of the Punjab," by Dr. Jameson.‡ Intending tea planters ought also to study carefully Mr. Ball's excellent work on the "Cultivation and Manufacture of Tea," and the "Theory of Horticulture," by Professor Lindley, a knowledge of the principles of culture being indispensable to success.

*Mr. H. Ricketts, B.C.S.
Mr. Stanisforth, B.C.S.
Major R. Strachey, Bengal Engineers.
Captain Impey, Bengal Engineers.

†Dated 27 August 1859, No. 762, recorded in Proceedings of Government, No. 1272, dated 21st September 1859.

‡Selections from the Records of the Government of India, No. XXIII. 1857.

Enclosure 2, in No. 5.

From *W. Jameson, Esq., Superintendent Botanical Gardens, North West Provinces, to H. Cleghorn, Esq., M.D., Conservator of Forests, Madras; dated Kowlangiri, Deyra Dhoon, 5th September 1859, No. 431.*

I HAVE the honour to acknowledge the receipt of your letter, No. 741, dated 6th ultimo, regarding tea-makers. I am glad to hear that tea cultivation is making steady progress in the Madras Presidency. I have no Chinese tea-makers available to send to the Nilgiris, but I can provide you with four excellent native tea manipulators, who have been for years working in the factories, and are nearly as expert at their work as the Chinese. To several private factories I have supplied natives brought up as tea-makers in the Government factories, and by them excellent teas have been prepared. Thus all the teas prepared at Hurbawallah, in the Deyra Dhoon, estimated at 10,000 lbs. this season, have been prepared by natives furnished by me, and these teas are much prized by the public, and fetch high prices.

Four (4) native tea-makers are willing to proceed to the Nilgiris, and serve for three years on the following conditions:—

(1.) Their wages to be 12 rupees per mensem each, for the first year, and 16 rupees each per mensem for the second and third years.

(2.) All their expenses to be paid to and from the Nilgiris.

(3.) Their wages to be paid them from the date of leaving the plantation at Kowlangiri in the Deyra Dhoon.

(4.) Their agreement to continue in force for three (3) years from the date of their arrival at the plantation in the Nilgiris.

(5.) On discharge, their expenses to be paid and a free passage given to them to Kowlangiri in the Deyra Dhoon. Their wages to cease from the date of their discharge from the plantation on the Nilgiris.

With these men I am confident that you will be able to do all that you require towards ascertaining the quality of the leaf yielded by the tea plants growing on the Nilgiris. With the men I will send a series of baskets, &c. required in manipulating teas, and Dr. Thompson, of the Calcutta Botanical Gardens, can procure for you from Messrs. Thompson & Co., hardware merchants, such pans as you require. If I can assist you in any other way it will give me much pleasure.

P. S.—These four (4) men agree to work diligently in the plantations and make themselves generally useful when their services are not otherwise required in the factory. But in order that there may not be any dispute, I shall, if agreeable to you, write their agreement on stamped paper.

Enclosure 3, in No. 5.

Extracts from "Tennant's Ceylon."

"THE tea plant has been raised with entire success on the estate of Messrs. Worms, at Rothchild, in Pusilawa; but the want of any skillful manipulators to collect and prepare the dry leaves, renders it hopeless to attempt any experiment on a large scale until assistance can be procured from China, to conduct the preparation."—Volume I., page 90.

"The plants thrive surprisingly, and when I saw them they were covered with bloom. But the experiment was defeated by the impossibility of finding skilled labour to dry and manipulate the leaves. Should it ever be thought expedient to cultivate tea in addition to coffee in Ceylon, the adaptation of the soil and climate has thus been established, and it only remains to introduce artisans from China to conduct the subsequent processes."—Volume II., page 252.

(signed) *H. Cleghorn,*
Conservator of Forests.

ORDER thereon, 24th August 1860, No. 1425.

1. THE Governor in Council has perused this report with much interest. It contains much useful information on the subject treated of. It will be communicated to the Board of Revenue, to the Collector of Coimbatore, to the Commissioner of Mysore, and to the Literary Society for publication in their journal. A copy will also be laid on the editors' table, and a number of spare copies will be printed for sale or distribution.

2. The report will also be sent to the Secretary of State.

(True extract.)

(signed) *J. D. Bourdillon,*
Secretary to Government.

To the Board of Revenue.
Collector of Coimbatore.
Literary Society.

— No. 6. —

REVENUE DESPATCH to *Madras*, dated 31st October (No. 73) 1860.

1. I HAVE perused with much interest the reports by Dr. Cleghorn, the conservator of forests, on the growth of the tea plant in the Neilgherries and other parts of the Madras Presidency, which accompany your letter of the 24th August last, No. 90.

2. It is satisfactorily established that tea plants will thrive in several different localities, but no attempt appears yet to have been made to convert the produce into a marketable article of commerce. I agree with you that, as a general rule, it is undesirable for Government to step out of its way to aid the efforts of private adventurers. Considering, however, the great success which has attended this branch of culture in Assam, and in the Himalayas, and which it can scarcely be expected would have been attained, at any rate to the same extent or in the same time, if the initiatory proceedings had not been taken by the Government, I shall not object, if it should appear that there is little chance of the matter being taken up by private enterprise, to your acting on the recommendation of Dr. Cleghorn, and obtaining the services for a limited period of a few skilled tea manufacturers from the North Western Provinces, which it appears from the information supplied by Dr. Jameson, might be procured at a very moderate cost.

3. I presume that under the rules now in force, the difficulties which were apparently experienced by Captain Mann in obtaining land in the Neilgherries suitable for his tea plantation, will no longer exist.

— No. 7. —

EXTRACT from the Report of the Conservator of Forests, *Madras*, for the year 1859-60, dated 31st August 1860.

36. *Tea*.—SOUTHERN INDIA promises well to afford favourable sites for the growth of tea.

Numerous experiments have been made, and attended in several instances with marked success, as regards the healthy growth of the plant. In order, however, to complete the experiment, and allow the tea grown in the Presidency to occupy its proper place in the market, it is necessary that the art of manufacturing it should be introduced either direct from China or from Government plantations in the North Western Provinces. Unless something of this kind be done, tea grown in Southern India cannot attain that commercial value which it might probably acquire, were it generously taken up. The tea shrub is remarkable for its hardiness, the cultivation extending over a great breadth of latitude. It prefers a climate where the mean temperature is from 67° to 73°. This valuable plant may be seen at several places on the Nilgiri and Pulni hills, in Coorg, on the hill sanatorium of Nundidroog, on the Shervaroy and Bababooden hills, at Curtallam, and in various parts of Travancore. Although tea plants have been introduced, and are growing at each of these localities, they are not all equally promising; and the place in the market which any of them is to occupy has not yet been ascertained, and cannot be so until the introduction of competent manipulation completes the experiment.

G. O., No. 1425,
24th August 1860.

— No. 8. —

EXTRACT REVENUE LETTER to *Madras*, dated 16th October (No. 66) 1861.

5. It is gratifying to learn that Dr. Cleghorn is sanguine as to the successful cultivation of tea in the Southern Provinces of India. With respect to the importance of the employment of skilled manufacturers, which the conservator dwells on so much, I must remark that I have received no acknowledgment of my Despatch of the 31st October last, No. 73, in which I sanctioned, as an exceptional case, the grant of aid for this purpose for a limited time, nor do I find that Despatch included in the quarterly statement of Despatches remaining unanswered up to the 30th of June 1861. It appears, however, from your proceedings of the 5th of January last, that you were of opinion that the grant of land made to Mr. Rae for tea plantations lessened the necessity for the grant of this assistance, though you sought further advice on the matter. I shall, doubtless, be furnished with the result of your deliberations on the opinions which you may receive on this point; but it seems to me that if the necessity for instruction in the manufacture of tea was as great as was represented to me last year, it would not be diminished by the circumstance of Mr. Rae's operations, from which no result can be obtained for several years to come, until the plants should be old enough to admit of the leaves being picked.

— No. 9.—

GOVERNMENT TEA PLANTATIONS : the Yield of the Factories, and the Support given to Private Capitalists, with Suggestions for the Improvement of Irrigation in the Dehra Dhoon.

By Dr. *William Jameson*, Surgeon-Major, Superintendent Botanical Gardens, North Western Provinces.

From Superintendent Botanical Gardens to Secretary to Government, North Western Provinces (No. 285), dated Seharunpore, 12 May 1862.

Sir,

I HAVE the honour to lay before you, for the information of the Honourable the Lieutenant Governor, a detailed statement showing the manner in which the Government tea plantations have been worked, and the results obtained during the last season.

2. For some time during the season I was absent from my duties, bad health having compelled me to visit Europe on medical certificate. During my absence my work was actively and energetically conducted by Dr. J. L. Stewart. To him I made over charge on the 1st March, sailed from Calcutta on the 24th March, and returned again on the 1st November, and resumed my office on the 21st November.

3. The out-turn of tea during the last season shows a decrease on that of the former year, caused by the great drought during the cold weather and months of April and May. The grain crops throughout the upper part of the Doab were a failure. It ought not, therefore, to be a matter of surprise that the yield of tea shows a decrease, particularly as the chief or first crop of leaf almost entirely failed. Considering this, the decrease may be considered small, and showing how admirably the plant is fitted for the Kohistan of the North Western Provinces and Punjab.

4. The quantity of tea prepared in the factories was as follows :—

KOWLAGHIR FACTORY, DEHRA DHOON.							
<i>Green Teas.</i>						<i>Lbs. oz.</i>	<i>Lbs. oz.</i>
Gunpowder	-	-	-	-	-	199 0	
Imperial Gunpowder	-	-	-	-	-	182 0	
Hyson	-	-	-	-	-	150 0	
Young Hyson	-	-	-	-	-	386 0	
Hyson Skin	-	-	-	-	-	817 0	
							1,734 0
Samples sent to Exhibition	-	-	-	-	-		21 0
<i>Black Teas.</i>							
Souchong	-	-	-	-	-	4,846 0	
Fine Souchong	-	-	-	-	-	1,853 0	
							6,699 0
Pouchong	-	-	-	-	-	3,244 0	
							3,244 0
Bohea	-	-	-	-	-		3,284 0
Total							14,982 0
PAOREE FACTORY IN GURHWAL.							
<i>Black Teas.</i>							
Souchong	-	-	-	-	-	2,697 0	
Pouchong	-	-	-	-	-	2,850 0	
Bohea	-	-	-	-	-	4,700 0	
							10,247 0
BHIMTAL FACTORY IN KUMAON.							
<i>Black Teas.</i>							
Souchong	-	-	-	-	-	1,129 12	
Pouchong	-	-	-	-	-	64 12	
Bohea	-	-	-	-	-	75 0	
							1,269 8
Total							26,498 8
HAWUL BAUGH FACTORY IN KUMAON.							
<i>Green Teas.</i>							
Fine green tea	-	-	-	-	-	521 0	
Hyson skin	-	-	-	-	-	880 7	
							1,401 7
<i>Black Teas.</i>							
Souchong	-	-	-	-	-	2,707 8	
Bohea	-	-	-	-	-	2,952 8	
							5,660 0
AYAR TOLI FACTORY IN KUMAON.							
Souchong	-	-	-	-	-	7,103 8	
Bohea	-	-	-	-	-	856 8	
							7,960 0
Total							41,519 15
Showing a Grand Total of						<i>Lbs.</i>	41,519 15

5. But if there has been a small decrease in the quantity of tea, it has been met by an increase in the produce of seeds, the yield being 2,220 maunds, or 79 tons; thus:—

Kowlaghir Plantation	-	-	-	-	-	Mds.	860	0
Paoree ditto	-	-	-	-	-	"	260	0
Ayar Toli ditto	-	-	-	-	-	"	370	0
Hawul Baugh ditto	-	-	-	-	-	"	480	0
Bhimtal ditto	-	-	-	-	-	"	250	0
							Mds.	2,220 0

6. Add to this the produce of the

Khangra Plantation	-	-	-	-	-	"	1,416	0
							Mds.	3,636 0

and we have an out-turn of 3,636 maunds, or 130 tons.

7. This immense produce has enabled me to give great assistance to private planters throughout the Kohistan of Kumaon, Gurhwal, Dehra Dhoon, and Punjab, as will be perceived by the appended Table, which shows that the large quantity of 2,513 maunds, or 89 tons of seeds, have been distributed gratis to them.

8. In addition to this large quantity of seeds, large numbers of seedling tea plants, amounting to two millions four hundred thousand, have been, or are being distributed.—See Appendix B.

9. But, though the amount of seeds and plants at my disposal for distribution is immense, it comes far short of the indents received, new parties seeking other fields than those of the Kohistan of the North West Provinces and Punjab to carry on tea cultivation. Thus, last season a company established themselves at Hazareebaugh, and to them 15 maunds of seeds were given. To the Neilgherries, too, considerable quantities of seeds have been sent, through Dr. Clegghorn, superintendent of forests, and by him I have been informed that Her Majesty's Right Honourable Secretary of State for India has sanctioned the engagement of some skilled native tea-makers from the Government factories, North West Provinces, in order to assist tea planters in the Madras Presidency to prepare tea.

10. Financially, the tea plantations may be thus considered:—

	Rs.	a.	p.
To 41,519 lbs. 15 oz. at Rs. 1. 8. per lb. =	-	62,279	14 6
2,200 maunds of seeds, at 20 rupees per maund, =	-	44,000	- -
Total	- - -	Rs. 1,06,279	14 6
To expense of working the plantations	- - -	48,000	- -
Balance	- - -	Rs. 58,279	14 6

11. To this must be added the value of tea seedlings distributed, viz.,

8,00,000 seedlings at 3 per 100 =	-	-	-	-	24,000	- -
Total Balance	- - -	Rs. 82,279	14 6			

12. Of the teas prepared, 16,000 lbs. are being packed for transmission to London for sale in the London market, and the remainder will be sold by auction at Almorah and Dehra Dhoon, in compliance with the orders of Government. Some delay in packing the teas has occurred, owing to the limited establishment of carpenters, which, however, is being remedied.

13. By private planters the demand for skilled tea makers and native overseers to superintend their factories and plantation operations is great, and to many, such as Messrs. Dick, Berkeley, Troup, Smith, Knyvett, Mohur Singh, Ramnath, &c., skilled native workmen have been given.

14. *Chinese Tea Makers.*—Some of the Chinese tea makers, whose time of service had expired, have left Government employ, and entered that of private parties, being tempted by a much higher rate of pay, and it has been found necessary to give an increase to the remaining tea makers. This, however, has been done without any increase to the establishment, the increased pay being more than met by that of the men who have resigned.

15. *Apprentices*.—Owing to the small allowance granted to them, the number of apprentices sanctioned by Government has never been quite filled up, and the number now on the establishment is three, two having left for better paid appointments. Their services have been found highly useful in the plantations, and could not be dispensed without detriment to the works going on.

16. *Overseers*.—Owing to the numerous tea companies springing up throughout the Kohistan of the North West Provinces and Punjab, the demand for experienced European overseers is increasing. The overseer of the Kowlaghir plantation in the Dehra Dhoon has been induced by offer of higher pay to leave Government employ and enter that of a private company. The overseer, too, of Ayar Toli plantation has also left for a more lucrative appointment.

17. To conduct the duties at Kowlaghir in the Dehra Dhoon, I have deputed the assistant superintendent of tea plantations, Mr. James Thompson; and Mr. T. Mooney conducts the duties at Hawal Baugh and Ayar Toli. By both parties the works are carried on actively and efficiently.

18. The Paoree plantation has been made over to Mr. J. Henry from the 1st April, and will form the subject of another communication.

19. To all the tea planters throughout the Kohistan and valleys of the North West Provinces I have sent a circular, requesting information as to the quantity of land now brought under cultivation by them, &c., and as soon as I receive replies, I shall lay before you, for the information of the Honourable the Lieutenant Governor, a detailed statement, in order that his Honour may see how the cultivation is spreading.

20. From the Kalee in Kumaon to the Ravee in the Kohistan of the Punjab, the cultivation is being actively and energetically carried on both by European and native capitalists; and the day is not far distant when we may expect to see tea exported from the British Himalayas as its staple article of produce, and the hills made lucrative, instead of as at present a drag on the revenues of the country.

21. In a few years the Dehra Dhoon, the most attractive spot in the North West Provinces to the European settler, will become a great tea garden. In every direction in it tea plantations are springing up, and the two things wanted to make them there universal are, in the eastern Dhoon drainage, and the western Dhoon water for drinking purposes and irrigation. The latter might be made available by anicuts being formed near the base of the Himalayas, or at such places where the drainage of the outer Himalayas escapes. It is a fact, that at the very time when water is most wanted from the canals in the Dhoon, viz., in seasons of drought, or even in very dry weather, it can only be obtained in limited quantity. None of the canals have feeders, and depend entirely on the supply of the water in the rivers from whence they take their rise. In the Dehra Dhoon the want of water in a dry season is much felt. In the small canals the supply of water dwindles down to a few inches. Were a few reservoirs made, therefore, by forming anicuts at the places mentioned, the supply would always be kept up. Even to the great canals, anicuts made in the interior of the Himalayas on the courses of the great rivers would be of vast advantage, as by them the full supply of water could always be maintained. That natural anicuts existed on the great rivers Ganges, Jumna, &c., at a recent geological period, must be evident to every one who has followed for any distance the courses of these rivers in the interior of the Himalayas; and in our own time, or rather during the last 20 years, on the Indus two natural anicuts have been formed by the descent of glaciers into the bed of the river, and which has caused it at Attock to be easily fordable. This, however, only remained for a time, as the basis of the anicuts, being of a soluble nature, melted and gave way, and allowed the waters to escape, carrying with them vast destruction to life and property. The river swept through and over the Chuch valley, levelling every village. At Attock, where it contracts, it rose 50 feet above its usual level, and the towns of Hanshealghur and Kalabagh, though built on the banks high above the usual level, were nearly ruined. The river remained fordable at Attock for three months before the catastrophe occurred, pointing out the feasibility of the undertaking were it desirable. To the Dehra Dhoon it would be a great boon, and the one thing needful to enable parties to inhabit waterless tracts in both the western and eastern Dhoons. There, too, to form his anicuts, the engineer has everything that he requires in abundance of limestone, sandstone, and quartz rock to form his dams, and the best line available at a cheap rate to form his walls of any strength. There are no engineering difficulties to be experienced, as occur on
the

the barren volcanic rock of Aden. But even there, and in a porous rock like lava, reservoirs of vast extent have been made, and in them a supply of water capable of supplying the town, with a population of 30,000, for three years, is kept.

I have, &c.

(signed) *W. Jameson*, Surgeon Major,
Superintendent Botanical Gardens,
North Western Provinces.

APPENDIX (A).

STATEMENT showing TEA SEEDS distributed from the Government Tea Plantations in Kumaon, Gurhwal, and Dehra Dhoon, during the Season 1861.

No.	NAME OF PARTIES.	Quantity of Seeds distributed.	TOTAL.	REMARKS.
		<i>Maunds.</i>		
1	Major Ramsay - - - -	57 0		
2	Mr. Lyall - - - -	57 0		
3	Kundun Lall Shah - - - -	10 0		
4	Captain Dansey - - - -	40 0		
5	Major McPherson - - - -	50 0		
6	Captain Batt - - - -	50 0		
7	Colonel E. Money - - - -	75 0		
8	General Richards - - - -	50 0		
9	Colonel Drummond - - - -	15 0		
10	Captain R. G. Mayne - - - -	50 0		
11	Sealkote Tea Company - - - -	75 0		
12	Captain Ellis - - - -	40 0		
13	Captain Gwane - - - -	20 0		
14	Jai Sah - - - -	10 0		
15	Mr. McIver - - - -	40 0		
16	Mr. F. A. Warrand - - - -	30 0		
17	General Storey - - - -	50 0		
18	R. Rich, Esq. - - - -	75 0		
19	Lieutenant C. Troup - - - -	75 0		
20	Major Swetenham - - - -	15 0		
21	Captain Hutton - - - -	15 0		
22	Captain Murray - - - -	20 0		
23	Mrs. Dick - - - -	40 0		
24	Mr. Dick - - - -	40 0		
25	Colonel Knyvett - - - -	30 0		
26	Major Raikes - - - -	30 0		
27	Nassun Tea Company - - - -	50 0		
28	Captain Fitzgerald - - - -	20 0		
29	Major Rind - - - -	30 0		
30	Mr. Forrest - - - -	40 0		
31	Colonel Smyth - - - -	30 0		
32	West Hopetown Tea Company - - - -	45 0		
33	Captain Batinge - - - -	25 0		
34	C. B. Blair, Esq. - - - -	25 0		
35	Mr. Berkeley - - - -	50 0		
36	Colonel Campbell - - - -	10 0		
37	General Innes - - - -	40 0		
38	Mr. W. Greig - - - -	20 0		
39	Ramnauth - - - -	8 0		
40	Nund Lall - - - -	8 0		
41	Kuneyah Lall - - - -	8 0		
42	Rajah Lall Singh - - - -	8 0		
43	Fawkeer Dass - - - -	5 0		
44	Pretum Dass - - - -	5 0		
45	Maharajah of Patecallah - - - -	10 0		
	Seeds distributed to 20 Europeans } from Holta - - - - }	600 0	577 0	
	And 301 Natives - - - - }	417 0	1,017 0	
	GRAND TOTAL - - - -	<i>Maunds</i>	2,513 0	

(signed) *W. Jameson*, Surgeon Major,
Superintendent Botanical Gardens,
North Western Provinces.

Office of Superintendent,
Botanical Gardens, N. W. P.
Saharunpore, 12 May 1862.

APPENDIX (B).

STATEMENT showing TEA SEEDLINGS distributed from the Government Tea Plantations in Kumaon, Gurhwal, and Dehra Dhoon, during the Season 1861-62.

No.	NAME OF PARTIES.	Number of Plants.	TOTAL.	REMARKS.
1	Lalla Ramnath - - - -	50,000		
2	Kuneyah Lall - - - -	30,000		
3	Thakoor Dass - - - -	25,000		
4	Buctawur Singh - - - -	25,000		
5	Nund Lall - - - -	25,000		
6	Mrs. General Dick - - - -	25,000		
7	J. McKinnon, Esq. - - - -	25,000		
8	Rev. L. Herron - - - -	25,000		
9	Colonel Knyvett - - - -	35,000		
10	Major McPherson - - - -	35,000		
11	R. Rich, Esq. - - - -	100,000		
12	Lieutenant Troup - - - -	100,000		
13	Colonel Money - - - -	100,000		
14	Mr. Meakin - - - -	100,000		
15	Captain Ellis - - - -	100,000		
			800,000	
	Distributed from the Kangra Plan- tation to 11 European Planters - }	1,100,000		
	10 Native Planters - - - -	500,000		
			1,600,000	
		TOTAL - - - -	2,400,000	

(signed) *W. Jameson*, Surgeon Major,
Superintendent Botanical Gardens,
North Western Provinces.

Office of Superintendent,
Botanical Gardens, N. W. P.,
Saharunpore, 12 May 1862.

— No. 10. —

REVENUE LETTER from *Madras*, dated 26th May, No. 37 of 1852.

Proceedings of
Government, 26th
May 1862, No.
1166.

1. WITH reference to paragraph 5 of your Despatch, No. 66, dated 16th October 1861, we have the honour to forward herewith a copy of a report from our Board of Revenue on the subject of procuring from Bengal persons skilled in the manufacture of tea, for the purpose of teaching the art to those engaged in the culture of the plant on the Neilgherries, and of testing the marketable value of the leaf produced in this Presidency. A copy of our orders on the Board's report is also enclosed.

2. You will observe that we have concurred with the Board in their conclusion, that it would be premature now to procure skilled manipulators from Bengal. There are but two tea plantations on the hills, the owner of one of these, Captain Mann, has not responded to the Board's request for his opinion on the subject; the owner of the other, Mr. Rae, deprecates any attempt "to test the leaf as at present existing in this Presidency." It is generally admitted that though the tea shrub grows luxuriantly on the Neilgherries, and on some other of our hill ranges, there are few plants in a fit state to produce leaves from which superior tea could be manufactured. There is thus no opening at present for the employment of the skilled manufacturers proposed to be procured from Bengal, and the most probable result of testing the tea now grown on the hills, would be to bring it into discredit in the English market.

3. Under these circumstances, we trust that you will approve of the decision at which we have arrived on the subject.

4. We

4. We have been informed by Mr. Rae that tea made by him from leaves produced on the Neilgherries has been highly approved by a competent judge in Bombay.

5. We beg to explain that your Despatch, No. 73, dated 31st October 1860, did not appear to us to require any reply, and was consequently not included in our list of unanswered despatches.

Enclosure 1, in No. 10.

(No. 2215.)

No. 476.—PROCEEDINGS of the Board of Revenue, dated 4th April 1862.

READ Government Proceedings, Revenue Department, No. 541, dated 12th March 1862, calling the early attention of the Board to paragraph 2 of the Government order, dated 5th January 1861, requiring a report on the subject of any assistance being rendered by Government in procuring persons skilled in the manufacture of tea to teach the art to those engaged or wishing to engage in the culture of the plant, and to decide whether tea of a marketable quality could be made from plants grown on the hills.

Read also the following abstract of the replies to the Board's Proceedings, No. 329, dated 18th January 1861, communicating the G. O. of 5th January 1861 to the collector of Coimbatore and other gentlemen on the hills, for their opinion on the question mooted in it.

1. Captain H. R. Morgan, acting conservator of forests, states that it is of the utmost importance to test the value of the tea-leaf grown on Captain Mann's and Mr. Rae's plantations on the Nilgiris as further private enterprise depends on the successful issue of the experiment. He is of opinion that tea equal, if not superior to that of Assam, which sells for two rupees per lb. in the market, can be produced on the Nilgiris, but that the soil and climate of the Shervaroys are unfit for the culture; a few tea plants seen by him in January 1861, in Mr. Richardson's coffee plantation, were quite unfit for the experiment.

2. The Ootacamund Improvement Committee and Colonel Woodfall are in favour of the proposition that a few skilled manufacturers should be obtained from the North West Provinces in order to test the merchantable character of the tea grown on the hills. Colonel Woodfall adds, "The leaves on the plants in the small experimental plantation belonging to Captain Mann will, I believe, be in a fit stage for picking within the ensuing two or three months, so that if it be practicable to have the manufacturers here during the present season, the question might be shortly settled; and, if favourably, many may be encouraged to enter upon the cultivation. Whilst on the other hand, it will be three or four years at least before the plants on Mr. Rae's estate can have attained sufficient maturity for the experiment; and as Captain Mann has devoted the whole of his capital and energies to the cultivation of coffee to a large extent in Coorg, it is not probable that he will now carry out his original intention of procuring skilled manufacturers either from China or the North West Provinces at his own expense."

3. Mr. Ouchterlony observes that the experiments hitherto tried have fully established the fact, that tea will grow fairly and bear seed in various parts of the Presidency, and more especially on the Nilgiris, and that the only thing remaining to give local private enterprise an impetus in this branch of agriculture, is to establish the market value of the article as there produced, about which there is some doubt, which can only be cleared by subjecting the leaf to skilful manipulation for which there has been no opportunity hitherto, nor will there be any unless Government undertake to afford it, as there are no plantations properly so called, and no cultivation of an extent that would make it worth the owner's while, presently or prospectively, to incur the heavy expense. There are, Mr. Ouchterlony states, very probably no plants at present of the age (from three to five years) believed to yield the best tea, yet an experiment with such as are of a more advanced age and now available, will still decide whether the leaf, when taken at the proper time, and prepared as it ought to be, will be a merchantable article or not.

4. Mr. Rae has entered somewhat fully into the subject of tea cultivation, in his reply; but it appears sufficient for the present purpose to make only such quotations from it as bear upon the question of sending for manipulators from the North West Provinces, and they are accordingly as follows:

Paragraph 2. "His Excellency the late Governor Sir Charles Trevelyan sent me a message through the conservator of forests, that if I would take up the cultivation of tea he would procure manufacturers for me and bear half the entire cost (1) of their coming to and returning from this; and (2) of their pay during the period of their contract service, as proposed by Dr. Jameson. Though intending to do so, I have not yet brought this matter to the notice of the present Government."

Paragraph 4.

"I beg to state my firm conviction, that not a single plant now exists within this Presidency fit to pick. Without a study of our subject, and a knowledge of all that is required of us, I must say, I view the proposition to procure 'native tea-makers,' to 'test the leaf

From Acting Conservator of Forests No. 352, dated 1st, in Cons. 6th Feb. 1861, No. 772.

From Secretary Ootacamund Improvement Committee, dated 1st, in Cons. 5th Feb. 1861, No. 749. Colonel Woodfall, 12th February in Cons. 14th March 1861, No. 1616. Ditto 14th, in Cons. 18th March 1861, No. 1682.

J. Ouchterlony, Esq. dated 19th, in Cons. 25th March 1861, No. 1831.

F. H. D. Rae, Esq. dated 9th, in Cons. 14th February 1861, No. 931.

as at present existing in this Presidency,' with feelings of great alarm, and would rather that my efforts on grass land be left to my own resources than that the aid of Government should, by any unwitting misdirection, tend to retard the extension of this cultivation. Bengal was years in shaking off its bad name, which, but for the acts and great liberality of the Government of India, would now have clung to it even as it still does to Paraguay. The failure by this Government on forest soil, would be a dire blow to private enterprise on grass land, but a successful issue here would lead to similar attempts being made by the Bombay, Ceylon, and Cape Governments."

Paragraph 6. * * * *

"We require (1) the appliances of the art of manufacture from Calcutta, as suggested by Dr. Jameson; (2) skilled manipulators of a stamp not proposed by Dr. Jameson; (3) we require to be taught how to make the plant 'flush'; (4) we require gatherers to be instructed in the art of picking, on the mode of conducting which Mr. Fortune and others declare depend both the health of the plant and quality of the tea; (5) we require intelligent Madrassees to be instructed in the manufacture to render us permanently independent of Bengal, for 'the nicety of the art is not to be acquired by description, many Chinese do not possess it, and some never'; and, finally, in our untried soil, altitude, latitude and climate, we require (6) manipulators competent to overcome any unfavourable, or to them new circumstances, for tea 'produced under any unfavourable circumstances of soil, climate, state of the weather, or leaf, cannot by any manipulation be rendered of superior quality.'"

Paragraph 10. * * * *

"I have a large number of plants including some of the Assam variety, which date their age from last monsoon; also a considerable number, ageing from 1859, were contributed towards my experiment by Dr. Cleghorn. These latter were mostly planted out permanently on a piece of rich grass land at Kulhatty, and they are now in such vigorous growth, that I almost fear the altitude of Kulhatty (some 5,000 feet) may possibly be too low to produce the very finest leaf: while, however, tea can be successfully produced in Assam at extremely low elevations, and bearing in mind the great range of the tea plant, I think we have strong grounds to go on in Kulhatty, having already given as the first essential, viz. unbounded high health, much more vigorous than Coonoor. Well-formed plants speedily produced are a great desideratum, and I can only reach the results attained at Kulhatty by a resort to glass and bottom heat. Major Thelwall, of Bengal, has lately produced, under high culture, plants fit to pick that were only 17 months old; and, as I am pursuing a strictly garden culture in a few acres of the grass land at Sholor (more humid than Coonoor, but elevation the same), I of course hope for the best. The manipulators will take a long time to reach this, as proposed, from the Deyrah Dhoon; and at Kulhatty if not also at Sholor, there will be a few thousands of plants at the perfection of age for quality, and otherwise, I trust, fit to pick, in the spring of 1862; about 12 months hence."

Paragraph 11. "I would further remark on the nature of Dr. Jameson's proposal as bearing on the essential nature of the aid I now beg to seek through the Board from Government. His proposal is to send us 'four native tea-makers for two years.' These men are now producing many thousands of pounds of tea annually, an amount utterly beyond the attainment of this Presidency, certainly within the period mentioned. Mr. Fortune sets down four men as sufficient for an area under full and mature bearing of 1,800 picking acres! I would beg, therefore, to propose that two men for four years, or even longer, would better suit the requirements of this Presidency. A factory is not essential to every estate. The practice of selling raw leaves too, or having them manufactured at central factories, obtains in Bengal, and largely so in China, Japan and Java; but it is clear that the first estate fairly started requires a factory as a *sine quâ non*. I would be glad if one of the two manipulators I have proposed were to be permanently made over to my plantation from the outset, while the other might, if thought desirable, be sent to all parts of the Presidency to 'test' as proposed, and be finally made over to any one, other than myself, who may need him, failing which I shall be happy to receive him also; for in paragraph 6, I have detailed three requirements which will afford abundant occupation, even though I have but few plants ready from which to manufacture. I have finally to remark on Dr. Jameson's proposal that natives of Bengal are offered us."

Paragraph 12. "The first essay at tea-making by Chinamen imported by Mr. Fortune in the Himalayas was a dead failure, having 'the objectionable Ankoï flavour.' No tea is exactly unmerchandiseable in the presence of a market, for the worst is still good for adulterating purposes; but the Ankoï from near Amoy is merely the worst known variety, the worst among bad, for the tea we Englishmen drink is astringency itself, and little better than the adulterated refuse of China. 'All the most exquisite kinds are kept for the epicures of the province,' says a late writer; 'the pick of Japan is the property of its king.' There, and in China, this beverage is served up frothing, and without milk or sugar; with the teas we consume, we could neither behold it thus nor drink it thus. On the above failure in Bengal, Mr. Fortune was thereupon sent out again to China at immense cost, and after some years' patient waiting, a few of the next Chinamen imported produced a tea 'equal to the kind generally sent in presents, and better for the most part than the black teas of commerce.' Darjeeling tea is now selling in London 9 d. in advance of the very best China. Indian teas (not Assam) are now bought up at home by private contract to mix with and improve the China product, which is the reason why these imports do not appear in the English price lists. The contiguous Chinese dominions are now largely importing tea from India! The high

high character of the teas of the Himalayas is now fully established, but can a private individual afford to risk such a mishap as the one the Government of India so bravely and fairly surmounted? Dr. Jameson, however, offers us natives, and says that 'no Chinese tea-makers are available for the Nilgiris.' I, however, desire most ardently to benefit from the very experience of Bengal. I need not recount our untried circumstances of altitude, latitude, climate and grass land, but simply trust I have now shown sufficient cause to be excused asking through the Board for the aid of Government in order to procure manipulators who shall be, if not two of the very men who removed the objectionable Ankoy flavour, at least two who shall be the very pick of that Presidency, be they Chinese or native, available or 'not available'; and this, without the aid of Government, is wholly without my reach. My personal request I limit to one of these two men."

Mr. Lascelles is of opinion that as a very considerable capital of about 400 rupees per acre is required for tea cultivation, and a much longer period must elapse in the speculation than in coffee or any other before it becomes remunerative, some indulgence should be shown by a relaxation of the terms usually granted for occupation of waste land, and that any interference of Government beyond this is undesirable. It appears that if every tea-leaf on Captain Mann's and Mr. Rae's plantations were picked, it would not employ two manipulators for six months at the rate at which manipulation is practised in Assam, viz., 2 lbs. per diem per man; and Mr. Lascelles, therefore, doubts the expediency of bringing such artisans so great a distance at the present stage of the experiment.

Mr. Fischer is in favour of the proposition, and suggests that the persons to be obtained should be qualified to determine whether the localities in this Presidency in which the cultivation has been tried, are such as are best adapted for the successful growth of the plant. He has about 300 plants on the Shervaroys, which were sent to him by Dr. Wallich at two different times about 25 years ago. "They appear," Mr. Fischer states, "to have succeeded remarkably well, inasmuch as they have attained the height of upwards of 20 feet, and have regularly fructified every year after the first five years. The seeds as they fall grow up under the trees, and are rooted up and thrown away every year with the weeds: but this year I have collected them and given them to two or three parties who had written for them, and I shall be glad to supply the remainder to any one who may want it."

"If the people to be obtained from the North-west report favourably of the Shevaroy's for the growth of tea, I would give it a trial on an extensive scale, if Government were to give me lands on the same terms as they have done to Mr. Rae."

Mr. Richardson is in favour of the proposition as, from ignorance in the preparation of the leaf, the plants have hitherto been allowed to grow up into large trees on the Shevaroy's.

He is not sure that the climate and soil of every part of Wynad are suited for tea cultivation, but he was about to try the experiment in a locality nearly 1,500 feet lower than the Shervaroys, and Colonel Wooldridge (a coffee planter) was also disposed to try it on the Bramagheri range, which is about 5,800 feet above the level of the sea, comprising an area of about 10 square miles, if Government would give him 500 kanis on the same terms as they did to Mr. Rae on the Nilgiris.

Mr. Thomas is of opinion that it would be premature to send out for any manufacturers now, as there is as yet no tea to manipulate, except a little on Captain Mann's plantation, and that gentleman has not, he believes, asked for such assistance, and probably from his connexion with China, knows the process well himself. Mr. Thomas adds, "I have tasted fair tea from Captain Mann's plantation three years ago. Mr. Rae can have no tea fit to manipulate for at least five years, his plants being now seedlings."

Resolved, That as Captain Mann does not appear inclined to favour the Board with a reply to their application to him on this subject, the above papers be forwarded for the consideration and orders of Government, with reference to their Proceedings in the Revenue Department, No. 17, dated 5th January 1861.

Enclosure 2, in No. 10.

From the above abstract, it appears that there is but very little, if any, tea plants at the present time in this Presidency sufficiently advanced, or not too much neglected to produce leaves fit for manipulating with any prospect of favourable results; and, as that little could only be obtained from Captain Mann, who has not yet replied to the Board's reference on the subject, which will account for the delay in submitting this report, the Board consider that it would be premature to send for any skilled manufacturers yet at the Government expense, but that the subject may be again taken into consideration at some future date. The recent resolution of the Supreme Government on the subject of waste lands has removed all difficulties in that direction.

(A true extract.)

(signed) R. A. Dalryell, Sub-Secretary.

To J. D. Sim, Esq.,
Secretary to Government, R. D.

Copy to E. B. Thomas, Esq., Collector of Coimbatore.

" to Captain H. R. Morgan, Officiating Conservator of Forests.

" to Rev. J. R. Macfarlane, M.A., Secretary Agri-Horticultural Society.

A. R. Lascelles, Esq.,
26th February, in
Cons. 1st March
1861, No. 1326.

W. Fischer, Esq.,
dated 16th, in Cons.
18th May 1861,
No. 3044.

Mr. H. Richardson
Deputy Collector,
Wynad, dated 4th,
in Cons. 9th April
1861, No. 2197.

E. B. Thomas, Esq.,
Collector of Coimbatore,
No. 77, dated
19th, in Cons. 23d
April 1861,
No. 2525.

Enclosure 3, in No. 10.

REVENUE DEPARTMENT.

PROCEEDINGS of the Madras Government.

READ the following Proceedings of the Board of Revenue:—

Forwarding for orders papers regarding the subject of Government procuring persons skilled in the manufacture of tea to teach the art to those engaged in the culture of the plant, with the Board's observations thereon. (Here enter 4th April 1862, No. 2215).

No. 477.—ORDER thereon, 26th May 1862, No. 1166.

1. THE Governor in Council observes, that there are only two tea plantations on the Neilgherries, viz., those of Mr. Rae and Captain Mann. The latter gentleman has not responded to the Board's communication regarding the advisability of procuring skilled manipulators from Bengal to test the tea grown on the hills, and the former objects very strongly to any attempt to "test the leaf as at present existing in this Presidency."

2. There can be no doubt that the tea shrub grows well on the Neilgherries, but it seems generally admitted that there are few plants in a fit state to furnish leaves suited for the manufacture of superior tea. The quality of tea of course depends greatly on manipulation, but no manipulation, however skilful, can be expected to produce good tea from inferior leaves, and the most probable result of now testing the tea grown on the hills would be, as Mr. Rae evidently fears, to bring it into discredit in the English market.

3. For these reasons the Government agree with the Board of Revenue that it would be premature at present to procure any skilled manufacturers from Bengal.

(True extract.)

To the Board of Revenue.

(signed) J. D. Sim,
Secretary to Government.

— No. 11. —

EXTRACT REVENUE LETTER to *Madras*, dated 14 August (No. 31) 1862.

* From Conservator of Forests for 1860-61.

7. THE accounts of the cultivation of tea on the hill ranges of your Presidency in this report,* as well as in the letter and enclosures from your Government of the 26th of May last, No. 37, which I received on the 5th ultimo, are gratifying from their favourable character. Nevertheless, as the plantations are not in that state to require the assistance of the skilled manufacturers whom Dr Cleghorn two years ago suggested for them, I approve of your decision not to obtain the services of any such persons from Bengal.

— No. 12. --

REVENUE LETTER from *Madras*, dated 12 September, No. 62 of 1862.

1. You will have learnt from our Despatch of 26th May 1862, No. 37, on the subject of procuring tea manipulators from Bengal for employment on the tea plantations on the Neilgherry Hills, that we concurred with the Board of Revenue in their conclusion that it would be premature to send for any workmen of this description yet at the Government expense.

2. The Board's reason for declining to support the proposal, as you have been informed, was, that there was little or no produce fit for the manipulators to work on.

3. We now forward the accompanying proceedings of the Board, dated 23d June, submitting a letter from Dr. McPherson, the inspector general of hospitals, as also a memorandum by Mr J. Ouchterlony, dated 29th July, from which it will be seen that the opinion formed by the Board is not applicable to all the tea plantations on the hills, and that work could be found there for the manipulators. Dr. McPherson, who has paid much attention to tea planting and manufacturing in

in different parts of the country, states that he is acquainted with Mr. Mann's and Mr. Fischer's plantations on the Neilgherries and the Shevaroy's respectively, and that a correct system of manufacture is alone necessary to render the produce of the former equal, if not superior, to the tea grown in the lower ranges of the Himalayas. The memorandum of Mr. Ouchterlony, who has been managing Captain Mann's plantations after his departure for England in the beginning of the year, supports the view taken by Dr. McPherson of the character of those plantations.

4. On a careful consideration of these papers, we were convinced of the necessity of our assisting the tea planters in ascertaining the merchantable quality of the tea produced in this Presidency, and were of opinion that the time had arrived for doing so. We have, therefore, in supersession of our former Order of 26th May 1862,* applied to the Government of India for two qualified manipulators from the North Western Provinces, who we desired should, for the present, be bound by agreement to serve in this Presidency for three years. The services of these men will, as soon as they arrive, be placed at the disposal of Mr. Mann.

* Forwarded with Despatch, 26th May 1862, No. 37.

5. Our proceedings on the subject are enclosed.

Enclosure 1, in No 12.

PROCEEDINGS of the Madras Government, Revenue Department, 29 August 1862.

No. 404.—Read the following Proceedings of the Board of Revenue, dated 23d June 1862, No. 4028.

READ the following from Dr. D. McPherson, Inspector General of Hospitals, to W. Hudleston, Esq., Secretary to the Board of Revenue, Madras, dated 13th June 1862:—

“Sir,

“1. I TAKE the liberty to address you for the information of the Board of Revenue, relative to their published proceedings on the introduction of tea into the higher ranges of southern India.

“2. I have gone over extensive fields of tea in the Dutch colony of Java, and witnessed its manufacture there on a large scale, and in company with Dr. Jamieson, the Government Superintendent in Upper India, I have gone over the Government tea plantations and others, in the Deyra Doon, paying much attention to the manufacture of the leaf, and I am persuaded that it is worse than useless for inexperienced hands to attempt to produce a marketable article from tea grown on the Neilgherries and Shevaroy Hills.

“3. I am acquainted with Mr Mann's and Mr. Fischer's plantations at these places, and am persuaded that a correct system of manufacture is alone necessary to render the former equal, if not superior, to that grown on the lower ranges of the Himalayas.

“4. I send specimens of both, from which the Board will observe the imperfect manufacture of the one, compared with the other. The leaf of Mr. Mann's tea has evidently not passed through that essential early process, without which, every other part of its delicate manipulations, before it becomes a marketable article, is futile, and the acidity perceptible in its infusion, is another proof that the first process of triturating and rolling the leaf, after its first scorching has been neglected.

“5. The tea otherwise excels either Himalaya or Assam, and judging from what I have observed elsewhere, on both the ranges mentioned above in Coorg, on the Pulneys, and on Gallikonda also, there are vast spaces where the plant may be propagated successfully.

“6. A tea plantation is a far more certain return to the planter than any coffee concern can be; for with tea, grass lands on slopes shaded by fruit trees, or capable of irrigation, are available for its cultivation, whereby the destruction and expense of removing forest as in coffee is avoided, and the leaf, which is alone consumed in tea, is a much more certain return than the coffee berry.

“7. It is utterly impossible, however, satisfactorily to carry out the several parts of the process of preparing the tea for market, by description alone. Everything relating to it is simple when acquired. The character of our hills for the growth of the plant will be injured, if an article such as Mr. Mann has manufactured be sent to market in Europe. Permit me, therefore, to urge a re-consideration of the decision arrived at by the Board, and again to go up to Government with their recommendation that the small cost of introducing skilled labourers be incurred, who would speedily impart their knowledge to others, and render us independent.”

1. Ordered to be submitted for the consideration of Government, with reference to their proceedings, dated 4th April 1862, No. 2215.

2. The Board's reason for declining to support the proposal to procure skilled manipulators from Bengal was that, so far as they are aware, there is little or no produce fit for them to work on at present. Dr. McPherson speaks of Mr. Mann's manufacture, but the Board are not aware that that gentleman has ever manufactured the leaf for the market, or done more than prepare very partially, small samples for individual trial.

3. But apart from these considerations, the Board do not see why Government should provide manipulators for the tea growers of this Presidency, who are perfectly well able to meet this requirement without Government aid.

(A True copy and extract.)

(signed) C. G. Master,
Acting Sub-Secretary.

Enclosure 2, in No. 12.

No. 405.—MEMORANDUM.

1. MR. MANN's tea plantation at Coonoor was commenced about 11 or 12 years ago. It was formed from seedlings brought in Wardian cases from China, and seeds from the same, all these having been selected (I believe) by Mr. Fortune in some of the best tea districts of the country.

2. The present state of the plantation, as far as I can ascertain, is this:—

2,400 plants, age about 11 years.			
4,000	"	"	8 "
2,000	"	"	2 "
12,000	"	"	1 "
20,400 say at 1,200 per acre, 17 acres.			

The later cultivation has been from seeds produced by the early trees.

3. From February to June (the crop season) of this year, tea has been prepared from the crop of leaves picked, to the amount of 2,000 lbs. weight.

4. It has thus been established, that the real tea plant of commerce will grow fruit, mature seed, and supply a crop of leaves, at Coonoor. At Ootacamund the shrub also grows, and seeds; and, thus succeeding in these two climates of the hills, their general surface, in suitable soil and situation, may be deemed equally adapted to the favourable growth of the plant. I may observe that I believe Mr Mann was induced to select Coonoor for his experimental cultivation, because it had been pointed out by the late Dr. Turnbull Christie, an eminent naturalist, as the most likely climate for its success.

5. With all the conditions of its favourable growth as a plant established, there has still remained to be determined, whether its produce was really a merchantable article; whether in fact, the climate of the Neilgherries admitted of the tea leaf carrying the flavour of good consumable tea. Repeated rough trials seemed to speak unfavourably on this point. About 25 years ago, Mr. Sullivan, then collector of Coimbatore, sent some prepared tea leaves, taken from a shrub at Ootacamund to Madras, but the infusion from them was pronounced execrable. Subsequent trials had pretty much the same result, and even when the leaves were taken from the better plants of Mr. Mann's plantation, and prepared with more care and a little more knowledge, the least unfavourable opinion that could be pronounced upon the tea by Dr. Cleghorn was, that it was "not palatable." Such results have sufficed to deter others from embarking in the adventure, Mr. H. Rae alone having had sufficient confidence in his own judgment to engage (last year) in tea cultivation at Sholoor. Mr. H. Mann had left Coonoor to settle in Coorg almost immediately after the outset of his tea plantation, he considering that what he met with from local authority was the reverse of encouragement to his costly experiment.

6. But there seems much reason to believe, that the tea prepared from plants growing on the Neilgherries has been thus unpalatable because of its defective manipulation; that the acrid taste so constantly complained of, even when the proper leaves have been selected for the manufacture, has resulted from the want of a right manufacturing apparatus, and from an ignorance of the necessity of every particle of moisture being removed from the leaves, and of how to effect it. Mr. Mann's native overseer, Ponnambalum, though he has shown a good deal of skill in his mode of treatment, has been unavoidably ignorant of the correct style of manipulation, and generally his tea has had a musty smell and an acrid flavour. But, on the other hand, when accident (perhaps) has caused one picking to be better prepared than another, tasters have found this passable; his tea, moreover, has for the past two years, found a ready sale at a fair price in the bazar, and partially in a shop at Ootacamund; it has shown decided improvement by being kept; and last year (of which I can speak from personal knowledge, my friend Mr. Mann having asked me to direct matters at his tea garden for him, on his departure for England at the beginning of the year), the result of partial experiments, made in pursuance of instruction gathered from books was, that some parcels

parcels of tea were so good in flavour and perfume, that I found a pinch added to the ordinary China tea sold in the Ootacamund market, impart to the latter a most agreeable flavour. This apparent strength in the tea, if found to be really present, would give it a similarity to those of Assam, whose value consists in their imparting a flavour to, and improving other and ordinary teas. There is in all this, great encouragement to expect that tea cultivation on the Neilgherries may yet prove an extended and profitable industry.

7. To settle the one doubt that remained to impede a confidence in the enterprise, Dr. Cleghorn had been in correspondence with Dr. Jamieson, the Government superintendent of tea plantations in Bengal, to send down a number of tea manipulators, trained practically under his own eye, and skilled in the work. All, in fact, was arranged; the men selected who were both to manufacture the tea and teach the process to others, and their engagement and dispatch to the hills only awaited the Government sanction. The matter, however, at that time fell to the ground. But it remains still the one thing needful.

8. From what I have said at the outset, it will be seen that the fruit-bearing trees on Mr. Mann's plantation at Coonoor leave it more the character of a "nursery garden" than a "plantation." The extent barely exceeds five acres. If then it be proved, by scientific manipulation of the leaf, that his costly experiment has proved that the tea of commerce can be successfully cultivated on the Neilgherry Hills, the profit therein resulting to himself must be wholly insignificant. The real and extended advantage must accrue to the Government, directly, in the value imparted to the numerous tracts of waste land adapted to the cultivation, and indirectly in the impetus that is sure to be given to a new and most important industry. It is under this consideration that I venture to submit, that it is both fair and politic, that the whole expenses of bringing down and employing Dr. Jamieson's skilled men, both in preparing tea from Mr. Mann's plants and from any others there may be any where, should be borne by the Government.

9. I have observed, in extracts given from Dr. Jamieson's last annual report, that the parties trained in tea manipulation on the Government plantations are being eagerly and quickly snapped up by private cultivators and tea companies. I would, therefore, humbly suggest if the Government should determine to bring a party of such men down, that advantage might be taken of Dr. Cleghorn's presence in Upper India to request his personally arranging the matter with Dr. Jamieson, and thus ensuring the acquisition of thoroughly skilled manipulators. The very great interest which both gentlemen take in the introduction of this industry, will be the guarantee of a careful selection. The picking of crop on Mr. Mann's garden lasted in the present year from February to June. Perhaps the men had better arrive at the beginning of January next.

10. I may, in conclusion, draw attention to the fact that the 2,000 lbs. of tea picked this year from Mr. Mann's garden, were so from scarcely over five acres of cultivation, and that there would probably have been much more, but for the failure of rain at a particular time. The quantity actually picked, however, averages 400 lbs. per acre, which is a very favourable return if the tea prove of the quality that there seems some show of reason in anticipating. And I may mention that I know visitors from Bengal in late years, civilians, military officers, and merchants, officially connected with tea cultivation or directly interested in it, to have expressed strong and decided opinions as to various parts of the Neilgherry hills being well adapted and very promising for the same cultivation.

(signed) *J. Ouchterlony.*

Kotagery, 29 July 1862.

Enclosure 3, in No. 12.

No. 406.—ORDER THEREON, 29th August 1862, No. 1841.

1. THE Secretary of State in noticing in his Despatch, dated 31st October 1860, No. 73, the reports of Dr. Cleghorn on the growth of the tea plant on the Neilgherries and other parts of the Madras Presidency, authorised this Government to obtain the services for a limited period of a few skilled tea manufacturers from the North Western Provinces, should it appear that there is little chance of the matter being taken up by private enterprise. The Board of Revenue were requested by Government to consult the collector of Coimbatore and some of the residents of the hills on the subject. The Secretary of State again drew the attention of this Government to the subject in his Despatch dated 16th October 1861, No. 66.

2. The Board of Revenue, after consulting the collector of Coimbatore and other gentlemen on the hills, reported, in their proceedings dated 4th April 1862, No. 2215, that there are but very few if any tea plants at the present time in this Presidency sufficiently advanced, or not too much neglected, to produce leaves fit for manipulating, and as those few could only be obtained from Mr. Mann, who has not replied to their reference on the subject, they considered it would be premature to send for any skilled manufacturers at the Government expense, and the Government resolved accordingly.—(Proceedings, dated 26th May 1862, No. 1166.)

3. But the papers above recorded show that the opinion formed by the Board is not applicable to all the tea plantations on the hills, and that work can be found there for tea manipulators, and that they can be usefully employed. The first of these papers is an

Order 5th January
1862, No. 17.

extract from the proceedings of the Board of Revenue, with which they submit a letter from the Inspector General of Hospitals, requesting a re-consideration of the decision already arrived at. Dr. McPherson, who has paid much attention to tea planting and manufacturing in different parts of the country, states that he is acquainted with Mr. Mann's and Mr. Fischer's plantations on the Neilgherries and the Shevaroy's respectively, and that a correct system of manufacture is alone necessary to render the produce of the former equal, if not superior, to the tea grown in the lower ranges of the Himalayas. The second paper is a memorandum drawn up by Mr. J. Ouchterlony, who has been managing Captain Mann's plantations after his departure for England in the beginning of the year. This paper supports the view taken by Dr. McPherson of the character of Mr. Mann's plantations. The picking of crop on these plantations is stated to have lasted in the present year from February to June, and the quantity picked was 2,000 lbs., at an average of 400 lbs per acre. Mr. Ouchterlony is of opinion that the favourable growth of the tea plant on the hills is established, but that its merchantable character has yet to be ascertained by the employment of skilled manufacturers; Mr. Ouchterlony explains that there is every reason to believe that the unpalatable quality of the Neilgherry tea is the result of defective manipulation, and therefore suggests that experienced manipulators be procured. Captain Mann's absence sufficiently accounts for the omission on his part to furnish a reply to the Board on the subject. His Excellency the Governor while on his tour has seen the samples of tea prepared at Mr. Mann's plantation. These samples are found to have been subjected to but little skilful manipulation, in consequence of the absence of any competent workmen. The presence of qualified tea manipulators would, the Governor is informed, be a most welcome addition to this estate, as a means of ascertaining the real value of the tea grown there, before any extension of this plantation is made, which would be attended with great expense. As remarked by Mr. Ouchterlony in his paper on the subject, if this one doubt is removed, and if the quality of the tea grown on the Neilgherries, when properly manipulated, is ascertained to be, as there is good reason to believe, similar to that of the teas of Assam, the cultivation of the plant on the Neilgherries will be rapidly extended, and become a profitable and thriving industry. In this respect the presence of the tea manipulators on Mr. Mann's estate where the experiments can best be tried will be of considerable public benefit.

4. The Governor in Council therefore, after a careful consideration of all the papers before him, is convinced of the necessity of Government assisting the tea planters in ascertaining the merchantable quality of the tea produced in this Presidency, and is of opinion that the time has arrived for doing so. He therefore resolves, in supersession of the Government Order dated 26th May 1862, No. 1166, to request the Government of India to send to this Presidency two experienced manipulators, the cost of their passage and salaries to be defrayed by this Government. The services of these men will, as soon as they arrive, be placed at the disposal of Mr. Mann. The attention of the Government of India will be requested to the necessity of sending these men in time to arrive at Madras at the beginning of next year (at latest), as they will have to proceed to the hills and make all the necessary preparations previous to the commencement of the picking season in February.

5. On the receipt from the Government of India of a memorandum of the probable charges to be incurred on account of these manipulators, measures will be adopted to provide the necessary funds.

6. Ordered, that a copy of this resolution be forwarded to Dr. Cleghorn, in view to his communicating to the Government of India any suggestions he may wish to offer about the tea manipulators to be sent to Madras.

(signed) *T. Pycroft*, Chief Secretary.

Enclosure 4, in No. 12.

ORDERED, that the following Letter be despatched:—

No. 407.—From *T. Pycroft*, Esq., Chief Secretary to the Government of Fort Saint George, to the Secretary to the Government of India, dated 29th August 1862, No. 1842.

Sir,

1. I AM directed by the Governor in Council to forward, for submission to the Government of India, copy of Government proceedings of this day's date, No. 1841, on the subject of the tea manipulators required on the Neilgherry Hills, with a view to improving the manufacture of the tea cultivated there, and to the determination of its merchantable value.

2. I am further directed to request that orders may be given for sending to this Presidency, from the North Western Provinces, two qualified workmen of this description. This Government will bear the cost of their passage and salaries, and as soon as they receive a memorandum of what the entire cost per annum is likely to be, steps will be taken to provide the required funds. These persons should, for the present, be bound by agreement to serve in this Presidency for three years.

3. I am also to request that they may be sent in time to arrive here at the beginning of next year. They will have to proceed to the hills, and make all the necessary preparations previous to the commencement of the picking season, which commences in February.

4. Dr.

4. Dr. Cleghorn, at present temporarily employed under the orders of the Government of India, has paid much attention to tea plantations in this Presidency, and has therefore been requested to submit to the Government of India any suggestions he may wish to offer on the subject of the selection of persons to be employed on the Neilgherry Hills as tea manipulators.

(True copies).

(signed) *P. W. Hutchins,*
Acting Deputy Secretary to Government.

— No. 13. —

DESPATCH (REVENUE) to *Madras*, dated 8 November (No. 47), 1862.

I HAVE considered in Council the letter from your Government, numbered 62, and dated the 12th September last, on the employment of skilled manufacturers on the tea plantations on the Neilgherry Hills.

2. The information supplied by the letter of Dr. M'Pherson and the memorandum by Mr. Ouchterlony fully justified your recurring to the authority granted in my Despatch, No. 73, of the 31st October 1860; and I approve of the application which you made to the Government of India for the services of two qualified tea manipulators from the North Western Provinces, for three years.

3. You will not fail to keep me informed of the result of this experiment.

(signed) *C. Wood.*

— No. 14. —

REVENUE LETTER from *India*, dated 7 January (No. 1), 1863.

WE have the honour to forward the special narrative of the proceedings of the Government of Bengal, noted on the margin,* transmitting reports on the capabilities of the district of Chittagong for the growth of tea and coffee, together with a register of the waste lands available for grants in the surveyed part of the district.

* No. 8, dated the
31st December 1862.

We have, &c.

(signed) *Elgin and Kincardine.*
R. Napier.
H. B. Harrington.
H. S. Maine.

Enclosure 1, in No. 14.

SPECIAL NARRATIVE, 31 December (No. 8), 1862.

ENCLOSED is forwarded for the information of the Right Honourable the Secretary of State for India, a copy of a letter from the officiating Commissioner of the Chittagong Division, No. 392, dated the 26th November 1862, together with its enclosures, being letters from Dr. Beatson and Mr. James Bruce, on the capabilities of the Chittagong district for the growth of tea and coffee, and a register of the waste lands available for grants in the surveyed part of the district, as furnished by the collector; all which papers have been published for general information in the supplement to the Government Gazette of the 20th instant.

(signed) *John Geoghegan,*
Under Secretary to the Government of Bengal.

Enclosure 2, in No. 14.

From *W. G. Young, Esq.*, Officiating Commissioner of the Chittagong Division, to the Officiating Secretary to the Government of Bengal (No. 392), dated 26th November 1862.

Sir,

I HAVE the honour to forward, for the Lieutenant Governor's perusal, two letters addressed to me by Dr. Beatson and Mr. James Bruce, on the capabilities of this district for the growth of tea and coffee. The former gentleman has been a resident in the district for eight years, and the latter for more than 20 years. I also forward a statement furnished by the collector, showing the waste lands available for grants in the surveyed part of the district, as distinguished from the unsurveyed hill tracts in which there is any amount of jungle and waste.

2. Perhaps the Lieutenant Governor will think that these papers are sufficiently interesting to be published in the Supplement to the Calcutta Gazette.

P.S.—I shall be obliged by your returning me the enclosed papers when no longer required.

Enclosure 3, in No. 14.

From Dr. *W. B. Bealson*, Civil Assistant Surgeon of Chittagong, to *W. G. Young, Esq.*, Officiating Commissioner of the Chittagong Division (No. 30), dated 29th October 1862.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 350, dated 18th instant, requesting me to furnish you with a report on the cultivation of tea and coffee in this district, showing if such cultivation might be made a profitable branch of industry, and what causes have hitherto stood in the way of its being carried on.

In reply, I beg to state that I have no doubt that both tea and coffee of excellent quality can be produced in Chittagong, and that the only causes which have hitherto stood in the way thereof have been general ignorance of the fact, and want of capital on the part of the few acquainted with it, who could have given their attention to the manufacture.

Both tea and coffee grow luxuriantly with little cultivation, and are very probably indigenous. The latter seems to have been common at an earlier period, as Sir William Jones speaks of Chittagong, in his letters, as a place "where the hills are covered with pepper vines, and sparkle with the blossoms of the coffee plant." Tea is said to have been found wild lately among the more distant hills, and plants have been sent to Calcutta for examination, but I have never myself met with it.

The cultivation of tea was first introduced by Mr. Sconce, late of the civil service, who imported seed from China, and established an experimental garden about 15 years ago. When I first arrived at Chittagong in the year 1854, the garden had passed into other hands, but was still in good order, and contained not only tea and coffee, but various kinds of spices, cinnamon, pepper, allspice, &c.

Soon after it became neglected, and the fences being destroyed, overrun with cattle, which of course did much damage. Nevertheless the tea plants survived, and many of those originally planted remain to the present day.

The garden is now in the hands of Mr. Fuller, who has about 22 acres under cultivation, and the produce, of which he has sent me a sample, is, in my opinion, superior to any Indian tea I have met with. A sample moreover was forwarded to England last year, and examined by Messrs. Twining & Company, a copy of whose certificate of its good quality is annexed. This sample consisted of leaves coarsely and unskilfully prepared, and it is therefore probable that, when cultivated and manufactured with greater care, Chittagong tea will obtain a high value in the market.

I have not seen any of the coffee produced in Mr. Fuller's garden; other specimens I have met with have been good, though cultivated with little care. The coffee plant requires three years to bring it to maturity, and will not flourish without shade.

With reference to the expense of cultivation, I am informed that coolies can be obtained for 5 rupees per mensem, and boys for 3 rupees. Any amount of labour is probably procurable as large numbers of coolies constantly emigrate to Akyab, who would doubtless prefer remaining in their own district could they find remunerative occupation. At present the cost of clearing an acre of land is 90 rupees.

The cost of watering would be small, as the rains are very heavy and often last from April to November, so that, for a large portion of the year, there would be no outlay on that score. The soil is generally light and sandy, mixed with clay, and would probably require manuring.

With the cultivation of tea and coffee the manufacture of starch might, I think, be advantageously combined.

The common jungle of the district is a species of ginger commonly known as "wild arrowroot." The leaves of this plant die off at the end of the rains, and its tubers are found during the cold weather abounding in starch which they yield to slicing and maceration in water.

water. Starch is largely used in manufactures in England, and I believe a large quantity of the rice exported from Arracan is converted into it. I think, therefore, that starch imported in large quantities would find a ready sale.

The supply of the wild arrowroot is inexhaustible, and if removed at the proper time of year would furnish material for a simple and valuable manufacture, while at the same time the growth of a noxious jungle would be checked.

The dead leaves and refuse of the manufacture would also serve to manure the ground devoted to tea planting. I would strongly recommend that the manufacture of starch from this plant should be made the subject of careful experiment during the ensuing cold weather.

Enclosure 4, in No. 14.

CERTIFICATE.

"We tested your sample of tea, and found it A 1; such a tea, if properly packed and brought over here as an article of merchandise, would command a high price, and especially if it were rather better manipulated and not quite so high dried. The flavour, however, is excellent, and the infusion is very bright and clear.

"R. Twining & Co."

"No. 215, Strand, 1 July 1861.

Enclosure 5, in No. 14.

From *J. E. Bruce*, Esq., Assistant Salt Agent, Chittagong, to *W. G. Young*, Esq.,
Officiating Commissioner of the Chittagong Division, dated October 1862.

Sir,

IN reply to your letter, No. 350, of the 18th current, I have the honour to furnish you with all the information that I possess regarding tea and coffee at this station.

2. From coffee plants which I have seen in private gardens and in the coffee company's garden at this station, which was formed in 1842, I am quite satisfied that coffee will grow well here if planted in suitable soil.

3. The plants in private gardens grow luxuriantly and produce large crops. Those in the company's garden grow also, but not near so large. They also produce well according to their size, but the land on which they were planted was little else than sand, consequently considerable expense was incurred for watering, and large quantities of manure trees were grown for shelter. Under these trees only did the coffee plants continue to grow and produce coffee. Mr. Sconce and myself were the only persons of the Company who took any interest in the garden. He could not always look after it, and for four and a half months I was out of the station at the manufacture of salt. I have no doubt that coffee planted on lower ground would prove a profitable undertaking, provided the revenue is not too high.

4. The company's garden was given up by all the members but Mr. Freitas and myself; but as neither of us could give our attention to it, it was at last abandoned altogether, for the rent was very high, being 14 rupees a year for a very small piece, and no remission could be obtained, though not a fifth part of the original grant was under cultivation, and watering, manuring, weeding, and fencing were very expensive.

5. One Mr. Hogg commenced up this river at Rangoneah on a large scale, but he died, I believe, within the year, so that no conclusion could be drawn from his experiments.

6. Some 30 years ago or more a Dr. Chapman planted coffee on a spot at the back of the lines, and this I learned by having myself gathered the coffee berries in the jungle about 15 years ago.

7. They were very small, and were not ripe when I got them. I have never been again to look after the plants, though I think I can easily find the spot.

8. I forgot to state that a maund of one coffee was sent to England and pronounced good, but not properly picked, and carelessly packed.

9. Mr. Sconce planted a garden of his own entirely at his own expense, in which he put many tea plants also; in our garden then were only three tea trees. Mr. Sconce's garden is now known as Elson's garden, and is in Mrs. Fuller's possession. From this garden Mrs. Fuller has for some years past produced tea, which she manufactures at this place (with untaught natives), some of which taken home by Mr. Radcliffe (lately judge of this station) was pronounced by Twining & Company to be excellent tea, as good as China, but made very badly. I am unable to state what is the produce per acre. In my opinion Mrs. Fuller's plants are planted too close, being so close as to intertwine their branches.

10. As a proof of the hardiness of the tea plant I will state two cases; first, the three plants, which were in the company's garden, were excluded from the fenced portion, and left entirely unprotected for four years; the cattle constantly eat them down; still they did not die till the fifth year.

11. Second, the late Mr. Ince planted a garden with tea and coffee, from which, after the third year, he made some tea, but whether good or bad I cannot tell. These tea plants were planted on low land fit for paddy. After Mr. Ince left this, the garden fell into native hands, and some years ago the holder of the garden cut the tea plants down to the ground and sowed paddy. I happened by chance to go to this garden that year, and I saw large green leaves coming up amongst the paddy. On looking closely at them I could not recognise them as any kind of the to me known jungle, though they were at least six times as large as any tea leaves I had ever seen; in all else they were exactly tea leaves; they were growing out of water a span deep, and on personally examining them I felt the old stump and root, and convinced myself that these leaves were growing from these stumps; they grew up, and last year they were healthy plants with plenty of the usual sized leaves and some seeds.

12. I have a plant in my garden that has been broken down, barked by goats, and left utterly uncared for for 15 years at least, and it is still alive, but has few leaves, and the flowers never come to seed. I have tried to restore it, but failed; however, it is still alive.

13. The causes which stand in the way of the cultivation are, first, the want of enterprise in the inhabitants generally; second, the monied men of this district are either merchants, zemindars, or shipowners. The former never think of cultivation at all; the second never encourage experiments of any kind, but grind down their ryots for their rents, and the shipowners look to the water, not the land, for their profits. The ryot thinks rice the most profitable, and he can at least live on it, and has as little means as inclination to try experiments. One great curse to this station is the immense number of cattle kept mostly by people who have not a yard of land to graze them on; they are allowed to feed any where and everywhere. I have had my new fences cut and cattle let in, but to prove who did it was impossible.

14. In conclusion, I think that the experiments which have been made have been in unfavourable places, and have tended to deter rather than encourage further experiment.

15. I reared tea plants from seed last year in gumlows, but on being transplanted at the beginning of the rains they lived, some a month, others more, and the last of them died last month, from which I conclude it is better to sow the seed where the plants are to grow. Two years ago the same thing happened, though I took care of them both years.

16. I sent some tea and coffee plants by sea to one Mr. Portious at Akyab, and he acknowledged receipt of them; the former in fine healthy condition, but the latter several dead and drooping. I never heard what became of them.

17. In all cases the coffee seems to require shade, and the best is a fast growing tree called the chuckwah; it is not too thick in its foliage, and very quickly arrives at a size to shade 30 feet diameter, and ultimately 60 to 64 feet diameter.

18. In our coffee garden, 28 coffee plants would grow under the shelter of one of these trees, the greater part to the north of the trunk. The coffee plants grow to about seven or eight feet in height; those planted eight feet apart did not meet; those at six feet apart did meet.

19. Will you allow me to add that teak and mahogany trees grow well here. The difficulty of getting teak seeds to germinate is easily got over. I have produced thousands of seedlings at the Sudder Ghaut, by simply spreading soil from the bottom of a creek under the trees, and allowing the seeds to remain till they spring up themselves. They fall in November and December, and spring up about the middle of the rains.

20. I planted the teak (four trees which produced the seed) in 1841 or 1842; they were then about three inches high; seedlings obtained from the botanical garden, Calcutta. The three now average 37 feet high to the very top, and five feet eight and a quarter inches circumference at two feet from the ground.

21. I planted six seedlings, one died, one was broken off at the ground by a cow, the others grew up. Three years ago, one was blown entirely down by a heavy north-wester; it has not died, but is growing in that position.

22. If the native landholders could be induced to grow these, instead of the vile useless madder and other trees, they would become very valuable after a number of years; but I fear they will continue to grow firewood, rather than look ahead to the benefit of posterity.

23. I will, with the hope of its being acceptable, make some remarks about cotton which I have grown in my garden on the top of my hill.

24. I received some seed from the collector (Mr. Ward) in November last, with instructions to sow in March. As that was a long time to wait, I thought the seed might spoil, so I at once sowed some on the 4th of November last, and in four days the seed had vegetated. They were allowed to grow in the seed bed till the middle of December, when some were transplanted. Of those transplanted, 12 per cent. died, the rest lived. It is to be remarked that the soil is light soil, and no manure was applied before sowing, but some rotten horse dung was used when the plants were transplanted. Not the least care was taken of them, either those transplanted, or left in the seed bed. They were not weeded nor dug round, nor even watered once for four and a half months, as I was away in the Mofussil.

25. In March last one of the seedlings in the bed produced two pods, but after that none of them looked healthy. However, the first rains in the end of March evidently put new life into them, and in the end of July they began to yield cotton. The plants shot up long
and

and thin, and had from two to four stems each. I carefully collected the cotton, and I now send you a sample of it with the seed.

26. By examining the seed you will see that there are three different kinds; one kind is covered entirely with a coat of green velvet down, another is partially covered with the same, but having a clean belt round the middle, and none are quite without the green down.

27. I have observed the clean seeds had the longest fibre, that entirely covered with the green down the shortest, and that partly clean and partly covered had fibre of intermediate length. This leads me to suppose that this last is a hybrid betwixt the other two.

28. I have no knowledge of the original cotton of which I received the seeds (it was stated to be New Orleans), therefore cannot say to what extent it has deteriorated; but as the sample was left entirely to nature, grown in high dry land without watering during the whole of the dry season, perhaps some conclusion may be drawn by experienced persons of the probable results of careful cultivation on suitable soil in this district.

29. I may further remark that there was a garden established in Chittagong; so far as I can recollect, betwixt 1836 and 1840, it was on the ground near Mr. Ward's dwelling, on the left hand side of the road, where the old brick building is in ruins, and where rice is now growing.* This used to be called the Company's garden. I saw cotton plants growing in it, and I know it produced very large purple sugar-cane. These obtained great favour with the natives, and several applied for and obtained cuttings. These produced good cane, and I have seen them sold in the Buxee's Haut.

* Known as Bude-nauth's garden.

30. I was in no way connected with the above garden, and cannot give the slightest information regarding the experiments made on their results; but, as it was said to be a Government experiment, probably the collector's office will be able to produce some information on the subject.

31. A gentleman of the name of Price, generally known as Captain J. Price, tried hemp here many years ago, when Mr. Skipwith was judge at the station, and the produce was good, but rather short in fibre. However, Captain Price was a sailor, knew nothing of cultivation, and went the most expensive way about what he did on light sandy land; the loss was considerable in comparison to the small experiment made by him.

32. Linseed is grown in this district to a small extent for the seed only. The seed is well scattered, that the plants may branch and produce seed. It is sown in the cold season, and seldom rises to more than a foot high. It is never cultivated for the fibres. A considerable quantity used to be produced on the islands of Halteah and Duckin Shabazpore.

33. I have tried to induce some of the zemindars in Nezampore to sow it thick, and towards the end of the rains, or in some moist spot, showing them cloth produced from the plant; but I doubt whether they really believed that the cloth they were looking at was the produce of the "Teese" as they call it. However, none of them ever tried it that I know of.

34. There is a wild semi-creeper grows abundantly here, called by the natives Taree, the pods of which are used by the native shoemakers for tanning leather. It is somewhat like the South American sumach. This last plant, which is so much valued for the fine soft light coloured leather which is tanned by it, grows well here. I have several large shrubs of it in my ground. I send a little of the taree pods, but they are three or four years old.

35. Cocoa and nutmegs have been produced on the ground where I live. They were grown by my late father-in-law, Captain Marquard. The May gale of 1849 destroyed all the nutmeg trees but one, which is still growing, but unfortunately a male tree. The cocoa trees died, after bearing fruit for four or five years, I believe from a want of knowledge how to take care of them.

36. The clove tree, the black pepper vine, both produced fruit here. A tree of the former used to grow at the Rev. Mr. Johannes', and may be alive still; I have gathered cloves from it, and Mr. Sconce had the latter in his garden producing fruit. Cinnamon also grows here as a tree, but has never been tried by cutting down to produce shoots, from which the cinnamon of commerce is taken; I have a tree in my garden which produces seed; Mrs. Fuller's garden has also one or two of these trees in it; it grows wild in the hills here of an inferior kind; I send a piece of the wood; the natives call it tezpât.

Enclosure 6, in No. 14.

EXTRACT from the Register of WASTE LANDS, absolutely the Property of Government, which are available for Grants

No. of the Plot or Tract.	Pergunnah, Thannah, or other Sub-Divisions in which situated.	Boundaries of the Plot.	Estimated Area of the Plot in Acres.				Actual Area.				Distance from Sudder Station of District and means of Communication with it.	Remarks giving a Description of the Land, its features, Soil, Cultures, Advantages or disadvantages as regards supply of Labour, Communications, and any other Information available.
			A.	R.	P.	Y.	A.	R.	P.	Y.		
1	Thannah Ramoo	The boundaries cannot be given, as the lands do not form one block.	10,617	0	23	26 $\frac{1}{4}$	10,617	0	23	26 $\frac{1}{4}$	Three days.—There is communication with the Sudder Station, and other important parts of the district, both by sea and land.	The greater part of the land is hilly and jungle, the remainder is low, sandy, and nullah, soil is "Doahshla," sand mixed with silt, and possibly fitted for cultivation of tea and coffee. Labour is plentiful on the spot, coolies can be taken to the town if one or two months, wages advanced.
2	„ Tek-naaf	- ditto - - -	3,323	0	1	18 $\frac{3}{4}$	3,323	0	1	18 $\frac{3}{4}$	Six days.—Ditto - ditto.	
3	„ Chuckeriah	- ditto - - -	4,554	1	18	6 $\frac{1}{2}$	4,554	1	18	6 $\frac{1}{2}$	Two days.—Ditto - ditto.	
4	Chittagong, Town Thannah	- ditto - - -	2,239	1	7	2 $\frac{1}{2}$	2,239	1	7	2 $\frac{1}{2}$	About two hours.—There is communication with the town by land.	
5	Pharee Rangoneeah	- ditto - - -	867	3	29	5 $\frac{1}{2}$	867	3	29	5 $\frac{1}{2}$	One day.—There is communication with the Sudder Station, and other important parts of the district both by water and land.	

The above are the surveyed waste lands. Besides these there is a vast tract of unsurveyed hills available for grants.

Chittagong Collectorate, 22 November 1862.

T. D. Ward,
Collector.

EAST INDIA (TRINGANU).

RETURN to an Address of the Honourable The House of Commons,
dated 25 July 1863;—for,

COPY “ of PAPERS connected with the ATTACK upon TRINGANU,
in November 1862.”

India Office, }
28 July 1863. }

J. W. KAYE,
Secretary Political Department.

(*Sir John Hay.*)

Ordered, by The House of Commons, to be Printed,
28 July 1863.

CONTENTS.

FROM	TO	DATE.	PAGE.
Government of India - - -	Sir C. Wood - - -	8 Dec. 1862	1
Colonel Cavenagh - - -	Government of India - - -	19 July 1861	2
Sultan, Tringanu - - -	Colonel Cavenagh - - -	27 June "	4
Colonel Cavenagh - - -	Sultan - - -	"	5
Resident, Rhio - - -	Colonel Cavenagh - - -	16 July "	5
Colonel Cavenagh - - -	Resident - - -	18 July "	5
Ditto - - -	Sir R. Schomburgk - - -	18 July "	5
Ditto - - -	Government of India - - -	7 Aug. "	5
Commander Wright - - -	Colonel Cavenagh - - -	29 July "	6
Sir R. Schomburgk - - -	Ditto - - -	30 July "	6
Colonel Cavenagh - - -	Government of India - - -	23 Aug. "	6
Sultan, Tringanu - - -	Colonel Cavenagh - - -	27 July "	7
Sultan, Pahang - - -	Ditto - - -	28 July "	8
Inchi Wan Ahmet - - -	Ditto - - -	"	8
Colonel Cavenagh - - -	Inchi W. Ahmet - - -	31 July "	10
Sultan, Tringanu - - -	Colonel Cavenagh - - -	17 July "	10
Colonel Cavenagh - - -	Sultan - - -	5 Aug. "	11
Sultan, Pahang - - -	Colonel Cavenagh - - -	20 July "	11
Ditto - - -	Ditto - - -	29 July "	11
Colonel Cavenagh - - -	Sultan, Pahang - - -	6 Aug. "	11
Sultan, Pahang - - -	Colonel Cavenagh - - -	22 July "	12
Lieutenant Protheroe - - -	Sultan, Pahang - - -	6 Aug. "	12
Sultan, Pahang - - -	Colonel Cavenagh - - -	8 Aug. "	12
Colonel Cavenagh - - -	Sultan - - -	19 Aug. "	12
Sultan, Pahang - - -	Colonel Cavenagh - - -	14 Aug. "	12
Ditto - - -	Ditto - - -	15 Aug. "	13
Colonel Cavenagh - - -	Sultan - - -	23 Aug. "	13
Colonel Durand - - -	Colonel Cavenagh - - -	13 Sept. "	13
Colonel Cavenagh - - -	Government of India - - -	24 July 1862	14
Extract, Colonel Cavenagh - - -	Sir R. Schomburgk - - -	27 June "	14
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	9 July "	15
Ditto - - -	Ditto - - -	18 July "	15
Colonel Cavenagh - - -	Government of India - - -	26 July "	16
Sultan, Pahang - - -	Colonel Cavenagh - - -	21 July "	16
Colonel Durand - - -	Ditto - - -	30 Aug. "	16
Colonel Cavenagh - - -	Government of India - - -	18 Sept. "	17
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	26 Aug. "	17
Ditto - - -	Siamese Minister - - -	14 Aug. "	17
Siamese Minister - - -	Sir R. Schomburgk - - -	23 Aug. "	17
Ditto - - -	Sultan, Tringanu - - -	11 June "	18
Sultan - - -	Siamese Minister - - -	12 July "	19
Siamese Minister - - -	Sultan, Tringanu - - -	11 Aug. "	19
Sultan, Pahang - - -	Colonel Cavenagh - - -	19 Aug. "	20
Colonel Cavenagh - - -	Sultan, Pahang - - -	2 Sept. "	21
Ditto - - -	Sultan, Tringanu - - -	2 Sept. "	21
Ditto - - -	Sir R. Schomburgk - - -	5 Sept. "	21
Colonel Durand - - -	Colonel Cavenagh - - -	23 Oct. "	21
Colonel Cavenagh - - -	Government of India - - -	8 Oct. "	22
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	1 Oct. "	22
Colonel Cavenagh - - -	Sir R. Schomburgk - - -	8 Oct. "	23
Ditto - - -	Government of India - - -	13 Oct. "	24
Ex-Sultan, Linga - - -	Colonel Cavenagh - - -	30 Sept. "	24
Colonel Cavenagh - - -	Ex-Sultan - - -	13 Oct. "	25
Secretary Aitchison - - -	Colonel Cavenagh - - -	18 Nov. "	25
Government of India - - -	Sir C. Wood - - -	21 Feb. 1863	25
Colonel Cavenagh - - -	Government of India - - -	11 Nov. 1862	27
Paterson & Co. - - -	Colonel Cavenagh - - -	23 Oct. "	28
(3 Enclosures.)			
Colonel Cavenagh - - -	Sir R. Schomburgk - - -	29 Oct. "	30
Singapore Chamber of Commerce - - -	Colonel Cavenagh - - -	31 Oct. "	30
Colonel Cavenagh - - -	Sultan, Tringanu - - -	3 Nov. "	31
Colonel Macpherson - - -	Captain Corbett - - -	3 Nov. "	31
Lieutenant Protheroe - - -	Colonel Macpherson - - -	3 Nov. "	32
Siamese Minister - - -	Sultan, Tringanu - - -	25 Sept. "	33
Colonel Cavenagh - - -	Government of India - - -	24 Nov. "	34

FROM	TO	DATE.	PAGE.
Colonel Macpherson - - -	Lieutenant Protheroe - - -	17 Nov. 1862	34
Appendix A. to J.			
Captain Corbett - - -	Colonel Cavenagh - - -	14 Nov. "	40
Ditto - - -	Sultan, Tringanu - - -	11 Nov. "	41
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	8 Nov. "	41
Ditto - - -	Siamese Minister - - -	6 Nov. "	41
Siamese Minister - - -	Sir R. Schomburgk - - -	8 Nov. "	41
Colonel Cavenagh - - -	Ditto - - -	17 Nov. "	42
Sultan, Tringanu - - -	Colonel Cavenagh - - -	17 Nov. "	43
Colonel Macpherson - - -	Sultan - - -	22 Nov. "	43
Siamese Minister - - -	Sultan, Tringanu - - -	- - -	43
Colonel Cavenagh - - -	Government of India - - -	4 Dec. "	44
Sultan, Pahang - - -	Colonel Cavenagh - - -	18 Nov. "	44
Sultan, Tringanu - - -	Ditto - - -	20 Nov. "	45
Colonel Cavenagh - - -	Sultan, Pahang - - -	25 Nov. "	45
Ditto - - -	Sultan, Tringanu - - -	28 Nov. "	45
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	28 Nov. "	46
Siamese Minister - - -	Sir R. Schomburgk - - -	25 Nov. "	46
Colonel Cavenagh - - -	Ditto - - -	4 Dec. "	47
Ditto - - -	Government of India - - -	26 Dec. "	48
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	18 Dec. "	48
Siamese Minister - - -	Sir R. Schomburgk - - -	18 Dec. "	48
Sultan, Tringanu - - -	Siamese Minister - - -	17 Nov. "	49
Colonel Cavenagh - - -	Sir R. Schomburgk - - -	26 Dec. "	49
Ditto - - -	Government of India - - -	7 Jan. 1863	50
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	31 Dec. 1862	50
Sultan, Tringanu - - -	Siamese Minister - - -	28 Oct. "	50
Captain Ames - - -	Ditto - - -	24 Dec. "	51
Governor General of India - - -	Sir C. Wood - - -	5 May 1863	52
Colonel Cavenagh - - -	Government of India - - -	10 Jan. "	52
Ditto - - -	Sir R. Schomburgk - - -	10 Jan. "	52
Ditto - - -	Government of India - - -	19 Feb. "	53
Sultan, Tringanu - - -	Colonel Cavenagh - - -	27 Jan. "	54
Colonel Cavenagh - - -	Sultan - - -	19 Feb. "	55
Ditto - - -	Government of India - - -	2 Mar. "	55
Sir R. Schomburgk - - -	Colonel Cavenagh - - -	17 Feb. "	56
Colonel Cavenagh - - -	Sir R. Schomburgk - - -	24 Feb. "	56
Sir C. Wood - - -	Governor General of India - - -	25 July "	56

PAPERS RECEIVED FROM THE FOREIGN OFFICE.

Sir R. Schomburgk - - -	Foreign Office - - -	30 July 1862	57
Ditto - - -	Ditto - - -	5 Aug. "	58
Colonel Cavenagh - - -	Sir R. Schomburgk - - -	28 July "	59
Sultan, Pahang - - -	Sultan, Johore - - -	9 July "	59
Sultan, Tringanu - - -	Colonel Cavenagh - - -	17 July "	60
Sir R. Schomburgk - - -	Foreign Office - - -	22 Nov. "	60
Ditto - - -	King of Siam - - -	12 Aug. "	63
King of Siam - - -	Sir R. Schomburgk - - -	16 Aug. "	64
Sir R. Schomburgk - - -	King of Siam - - -	16 Aug. "	64
Ditto - - -	Siamese Minister - - -	17 Sept. "	64
Siamese Minister - - -	Sir R. Schomburgk - - -	24 Sept. "	65
Colonel Cavenagh - - -	Ditto - - -	22 Sept. "	65
Sir R. Schomburgk - - -	Siamese Minister - - -	23 Oct. "	65
Siamese Minister - - -	Sir R. Schomburgk - - -	29 Oct. "	66
Ditto - - -	Sultan, Tringanu - - -	29 Oct. "	66
Memorandum on Malay Peninsula by Mr. Knox - - -	- - -	- - -	67
Siamese Minister - - -	Earl Russell - - -	27 Nov. 1862	68
Sir R. Schomburgk - - -	Ditto - - -	16 Dec. "	69
Ditto - - -	Ditto - - -	18 Dec. "	70
Ditto - - -	Ditto - - -	31 Dec. "	70
Siamese Minister - - -	Sultan, Tringanu - - -	16 Nov. "	71
Sultan - - -	Siamese Minister - - -	26 Nov. "	72
Ditto - - -	Captain Ames - - -	15 Dec. "	73
Sultan, Tringanu - - -	Colonel Cavenagh - - -	- - -	73
Colonel Cavenagh - - -	Sultan - - -	4 Oct. "	74

FROM	TO	DATE.	PAGE.
Mr. Knox - - - - -	Mr. Hammond - - - - -	8 Jan. 1863	74
Ditto - - - - -	Memorandum on Malayan Peninsula - - - - -	- - - - -	75
Sir R. Schomburgk - - - - -	Foreign Office - - - - -	31 Dec. 1862	76
Siamese Minister - - - - -	Earl Russell - - - - -	27 Dec. "	76
Ditto - - - - -	Sir R. Schomburgk - - - - -	29 Dec. "	77
Mr. Hammond - - - - -	India Office - - - - -	30 May 1863	78
Sir R. Schomburgk - - - - -	Foreign Office - - - - -	15 April "	78
Siamese Minister - - - - -	Sir R. Schomburgk - - - - -	6 April "	78
Ditto - - - - -	Ditto - - - - -	11 April "	78
Mr. Merivale - - - - -	Foreign Office - - - - -	20 June "	78

PAPERS RECEIVED FROM THE ADMIRALTY.

Extract, Lord John Hay - - - - -	Admiralty - - - - -	21 Nov. 1862	79
Ditto - - - - -	Memorandum on Tringanu Expedition - - - - -	21 Nov. "	79
Captain Corbett - - - - -	Lord John Hay - - - - -	5 Nov. "	79
Ditto - - - - -	Ditto - - - - -	16 Nov. "	80
Lord John Hay - - - - -	Colonel Cavenagh - - - - -	17 Nov. "	81
Colonel Cavenagh - - - - -	Lord John Hay - - - - -	17 Nov. "	81
Lord John Hay - - - - -	Lord C. Paget - - - - -	30 Dec. "	81
Ditto - - - - -	Ditto - - - - -	10 Jan. 1863	83
Ditto - - - - -	Colonel Cavenagh - - - - -	31 Dec. 1862	84
Ditto - - - - -	Commander Alexander - - - - -	31 Dec. "	85

COPY of PAPERS connected with the ATTACK upon TRINGANU, in
November 1862.

(No. 133.—Foreign Department, Political.)

To the Right Honourable Sir *Charles Wood*, Bart., M.P. and G.C.B., Her
Majesty's Secretary of State for India.

Sir,

Fort William, 8 December 1862.

WE beg to transmit herewith, for the information of Her Majesty's Government, copy of a correspondence, as per accompanying Abstract of Contents, regarding certain disturbances created in the Malayan Peninsula by Inchi Wan Ahmet, the younger brother of the present Bandaharah of Pahang, and the proceedings of the Court of Siam in the matter.

2. We have not thought it necessary to forward copies of the earlier correspondence, which is very voluminous, and has extended over a period of five years; but the following paragraphs will convey a concise narrative of the proceedings of Inchi Wan Ahmet and the action taken respecting him up to the date of the commencement of the correspondence regarding Siam :—

3. The late Bandaharah of Pahang died in October 1858, and was succeeded by his eldest son. Subsequently a younger son, named Inchi Wan Ahmet, came to Singapore and complained to the Governor of the Straits Settlements that his elder brother had deprived him of a portion of the Pahang Territory, said to have been bequeathed to him by his father, the late Bandaharah. Inchi Wan Ahmet soon afterwards returned to Pahang, and succeeded in driving his elder brother from the country, and taking possession of it, but eventually was ejected himself by the elder brother, who thereupon re-established his own power in Pahang. Inchi Wan Ahmet, again an exile, then appears to have taken up his residence at Paka under the Chief of Tringanu. About the middle of April 1861, Wan Ahmet left Tringanu, and after committing several acts of plunder at Quantan and carrying off some prisoners, fortified himself in stockades at Endow, the country which he claimed under his father's will. These outrages were first brought to the notice of the Governor of the Straits Settlements by the Tumongong of Johore, who stated that he had an alliance with the Bandaharah of Pahang, and requested permission to attack Wan Ahmet, unless the Governor himself meant to expel him. Colonel Cavenagh thereupon wrote to the Tumongong, pointing out that it was contrary to the 8th Article of the Treaty of 1824, so long as he resided in Singapore, to enter into any alliance or maintain any correspondence with foreign powers without the knowledge and consent of the British Government, and he further prohibited the Tumongong from interfering so long as his own territories were inviolate. Colonel Cavenagh also wrote to Wan Ahmet, warning him that, if he attacked Pahang, he would be expelled by force, and that, if he had any grievance, he should submit it for the arbitration of the British Government. Wan Ahmet strenuously denied having committed any aggressions, and declared that he had done nothing more than locate himself upon the territory which he claimed as his right, and he appealed to the fact of his having brought all the females of his family with him as a proof of his pacific intentions.

4. Wan Ahmet at the same time continued to remain in the stockades, and Colonel Cavenagh concluded that Wan Ahmet might possibly have been, to some extent, supported by the chiefs of the western side of the Peninsula.

5. The Bandaharah of Pahang was also informed that no permission would be given to any foreign power to interfere with the Bandaharah's country, but that Wan Ahmet's claim should be referred by both parties to the arbitration

of the British Government. Colonel Cavenagh expressed his intention of visiting Pahang to impress on the Bandaharah the necessity of adjusting Wan Ahmet's claims, and, if the Bandaharah agreed, he purposed to proceed to Endow to call on Wan Ahmet to quit the stockade and to take up his residence at Tringanu or Singapore.

6. We approved of what Colonel Cavenagh had done, and the course which he proposed to follow. Accordingly, on the 25th May, Colonel Cavenagh proceeded in the "Hooghly," and had an interview with the Bandaharah of Pahang. The Bandaharah signed an agreement binding himself to abide by the decision of the Governor in his dispute with Wan Ahmet, and to allow the latter such a sum for maintenance as, after due consideration of his claims, Colonel Cavenagh might deem just and proper. From thence Colonel Cavenagh proceeded to Endow to communicate with Wan Ahmet. He found the stockades abandoned and that Wan Ahmet had returned to his former residence at Kamaman. A copy of the Bandaharah's agreement was sent to Wan Ahmet, and he was informed that, if he should again return to Pahang with hostile intent, orders would be issued for his immediate expulsion.

7. Wan Ahmet, it would appear, on his proceeding northward to Kamaman, erected stockades there, and several fights occurred between himself and the people of Pahang. He declined to accept the maintenance offered him by the Bandaharah of Pahang through the Governor, maintaining his right to Endow and Quantan, and expressing his intention, dead or alive, to seize Pahang. The Bandaharah of Pahang complained of the new aggressions in Quantan, and reported that Wan Ahmet was assisted by the ex-King of Linga; he therefore sought an interview with the Governor to ask for assistance, and to arrange measures to bring the quarrel to a close. As Wan Ahmet had retired to the extreme corner of Pahang, where he could not do much injury to the country or to trade, the Bandaharah was refused aid, but a steamer was promised to be sent to inquire into the state of affairs.

8. From later reports it appeared that Wan Ahmet, unable to resist the attack of the Bandaharah's followers, had been forced to retire from Quantan to seek refuge in the territories of the Sultan of Tringanu. Nothing more was heard of him till the correspondence now specially reported arose.

9. On the 19th July 1861 the governor of the Straits Settlements reported rumours of the intentions of the King of Siam to depose the Sultan of Tringanu, and to place in his stead his son-in-law, the ex-Sultan of Linga. Colonel Cavenagh addressed a letter to the consul at Bangkok to ascertain the truth of this, and despatched the steamer "Hooghly" to Tringanu, ostensibly for the purpose of warning the Sultan against allowing Wan Ahmet to re-organize his force, but in reality with a view to watch the proceedings of the small Siamese fleet of steamers which were on their way to Singapore.

10. In his letter, dated 7th August following, Colonel Cavenagh reported the arrival at Tringanu of three steamers, having on board the Siamese prime minister, the first King's son, and others who did not land on finding the "Hooghly" there before them, but proceeded on to Singapore. At the same time, Colonel Cavenagh submitted a copy of a reply from Sir Robert Schomburgk to his letter, stating that he had received the assurances of the Siamese foreign minister that the King of Siam was on the very best terms with the Rajah of Tringanu; and that he was of opinion that the representation made by the British consul would prevent any undue interference of the Siamese with the affairs of Tringanu.

11. From a letter, dated 24th July last, from the Governor of the Straits Settlements, we learnt that the ex-Sultan of Linga had been granted a free passage to Tringanu, and that the King of Siam had excused the step on the ground that it had no political meaning whatever; the object of the ex-Sultan's visit to Tringanu being to see his mother, who resided there.

12. Colonel Cavenagh considered that the King of Siam, in having given the ex-Sultan a passage to Tringanu in defiance of our previous remonstrances, and without the offer of an explanation, had been guilty of an act of discourtesy; and he considered that the presence of the ex-Sultan at Tringanu had endangered the preservation of the peace of the Malayan Peninsula.

13. A subsequent

13. A subsequent letter apprised us of the degree of uneasiness which the presence of the ex-Sultan at Tringanu had been productive of, and the form which this uneasiness had assumed was an apprehension on the part of the Bandaharah of the neighbouring state of Pahang that Inchi Wan Ahmet, who was said to have accompanied the ex-Sultan of Linga with a force of eight prahus, was organizing with the ex-Sultan a confederacy, by the help of which each was to seize what he coveted in Tringanu and Pahang respectively.

14. We expressed our regret at the receipt of this intelligence, and informed Colonel Cavenagh that, by the despatch to Tringanu of the ex-Sultan of Linga and of Inchi Wan Ahmet, the King of Siam had incurred a grave responsibility, and we could not but view with displeasure a course not only wanting in courtesy to the British Government, but threatening to disturb the peace and good order which it had been the object of the British Government to maintain throughout the Malayan Peninsula. We further approved of Colonel Cavenagh's intention, in case of any attempt of raising a disturbance, to take measures for the expulsion of Inchi Wan Ahmet from the country.

15. On the 4th instant we received a letter from the Governor of the Straits Settlements, submitting a correspondence with his Majesty's consul at Bangkok, from which it appeared that, although the Siamese government denied that the ex-Sultan of Linga was sent to Tringanu with any ill intentions, yet they promised to order his removal if the consul demanded it in writing. Colonel Cavenagh, in a letter to Sir R. Schomburgk, recapitulated the facts of the case, clearly showing the complicity of the ex-Sultan in Inchi Wan Ahmet's attack on Pahang, and added that, if the present disturbances continued, he would deem it his duty to adopt such measures as would seem most expedient for the protection of British interests and the maintenance of the general peace of the peninsula.

16. A subsequent letter received from the Governor gives cover to one from the ex-Sultan of Linga, in which he plainly lays claim to the sovereignty of Johore and Pahang, and Colonel Cavenagh's reply, warning both him and the Sultan of Tringanu of the consequence of disturbing the peace of the peninsula. Dated 13 Oct. 1862.

16. We have approved of Colonel Cavenagh's proceedings, and have informed him that the correspondence will be reported for the orders of Her Majesty's Government.

We have, &c.
(signed) *Elgin and Kincardine.*
R. Napier.
H. B. Harington.
H. S. Maine.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to Government of India, Foreign Department,—(No. 121, dated 19 July 1861).

Sir,

I HAVE the honour to enclose, for submission to his Excellency the Governor General in Council, copies of the letters, noted in the margin,* on the subject of an alleged intention on the part of the Kings of Siam to depose the Sultan of Tringanu, in favour of his son-in-law, the ex-Sultan of Linga.

2. The exact position, with respect to the authorities at Bangkok, of the rulers of Tringanu and Kalantan is not very clearly defined by the treaty of the 20th of June 1826, but I believe there can be no doubt that they do acknowledge

* Letter from the Sultan of Tringanu, dated 27 June 1861.

Letter to the Sultan of Tringanu, dated 12 July 1861, No. 396.

Letter from the Resident at Rhio, dated 16 July 1861.

Letter to the Resident at Rhio, dated 18 July 1861, No. 405.

Letter to Her Britannic Majesty's Consul at Bangkok, dated 18 July 1861, No. 406.

ledge themselves, to a certain extent, as tributaries; the Sultan having informed me, on his visit to Singapore in March last, that every two-and-a-half years he despatched an embassy to Bangkok with the articles of tribute noted in the margin,* though he at the same time asserted that, as in the case of the quinquennial embassy from Khatmandoo to Peking, return presents of equivalent value, consisting of rice, sugar, &c. were always received.

3. By Article X. of the above-quoted treaty it is evident that neither Tringanu nor Kalantan has ever been considered as Siamese provinces, whilst from Article XII. it is equally evident that the Siamese Kings are precluded from adopting any measure with regard to those States that might lead to any interruption of our commerce. That the measure stated to be now in contemplation would have that effect is, I conceive, beyond a doubt, for the ex-Sultan of Linga is an intriguing, restless character, banished by the Dutch from their territories, owing to his being concerned in some conspiracy, who would, almost immediately upon his assumption of power, endeavour to extend his influence over the neighbouring native States (indeed, there is already reason to suppose that he has been the author of the disturbances in Pahang, by instigating Inchi Wan Ahmed to take possession of Endow and Quantan), and thus create a feeling prejudicial to our interests. Moreover, it is not to be imagined that the Sultan would yield his post without a struggle, and, the whole country would in all probability be soon involved in a civil war, to the utter prostration of our trade, which is now of considerable value, and, provided peace and quietness can be maintained, is likely to increase.

4. For general reasons of policy it is also apparently advisable that we should, as far as practicable, prevent any interference on the part of any foreign State having alliances with European powers in the affairs of countries so intimately connected with the British possessions in the Archipelago as Tringanu and Kalantan; and as I therefore consider it my duty to obtain for the supreme Government full information relative to the intentions of the Siamese Government, I have thought it right to despatch the steamer "Hooghly" to Tringanu, ostensibly for the purpose of warning the Sultan against allowing Inchi Wan Ahmed to re-organize his force within his territories, but in reality with the view of watching the proceedings of the small Siamese fleet of steamers now on its way to Singapore.

5. On the receipt of a reply from Her Majesty's consul at Bangkok, a transcript will, of course, be transmitted for the consideration of his Excellency in Council.

Enclosures.

Sultan Omer, of Tringanu, to the Honourable Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements,—(dated 27 June 1861).

After compliments,

WE send these few lines to our friend as a token of sincere friendship between us and our friend. During our absence our son, the Sultan of Linga, desired "Daying Mahomed" to go from Pahang to Singapore, and from thence to visit the Rajah of Siam; and on the 10th of Dulhadjee 1277, on the 18th June 1861, one schooner came with a man sent by the Rajah of Siam, together with "Daying Mahomed"; they wish to take away our son, because the Rajah of Siam wishes to see him.

On the 20th of the same month (28th June) our son departed to Siam. We wished to prevent him from going, as perhaps the Rajah will be angry with us, because we are now under his government, and if we sanction his going we much fear perhaps we shall be blamed by our friend. We feel great difficulty in considering this matter, so we let him do what he thought best himself, and we did not interfere in this matter. We beg to inform our friend that we will not any more interfere in the business of other countries; only we wish to live in comfort ourselves, because our friend knows all our circumstances in all matters.

Nothing more, but only our best respects to our friend and wishes of prosperity.

* 1 Gold flower; 1 silver flower; 104 cloths stamped with the elephant pattern; 4 cloths of a description made at Tringanu; 10 catties of camphor; 500 shells; 400 kajangs or mats; 400 pieces of wood of fine grain.

The Honourable Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, to the Sultan of Tringanu,—(No. 396.)

After compliments,

WE have received our friend's letter, and become acquainted with its contents. As our friend's son-in-law, the ex-Sultan of Linga, was desirous of proceeding to Siam, and his visit to that country was apparently made in accordance with the expressed wish of the Siamese authorities, we think that our friend acted rightly in not objecting to his departure.

We are glad to hear that our friend intends to rigidly abstain from interfering with the affairs of other countries, so as to be able to devote the whole of his time to the improvement of his own territories, a course likely to prove beneficial both to himself and his subjects.

E. Netscher, Esq., Resident, Rhio, to the Honourable the Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 16 July 1861).

Honourable Sir,

I DEEM it not without importance to acquaint your Honor that some days ago his Highness the Viceroy of Rhio told me that he was informed by a reliable authority, that the Kings of Siam have the intention to dispossess the Sultan of Tringanu of his fief, because he obstinately refuses to appear before the kings. Further, it was told that the kings had sent for the ex-Sultan of Linga, Tunku Mahomed, in order to invest him with the loan of Tringanu.

As this rumour may perhaps have some influence on the tranquillity of the Malayan peninsula, I thought I had better acquaint your Honor with it, if it be only to show how far it has extended.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Resident at Rhio,—(No. 405, dated 18 July 1861).

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 16th instant, and to request you to accept my thanks for the information you have therein so kindly afforded, which coincides in a great measure with reports that have reached me from other quarters.

Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, to Her Britannic Majesty's Consul at Bangkok,—(No. 406, dated Singapore, 18 July 1861).

Sir,

WITH reference to the 12th Article of the Treaty of the 20th June 1826, marginally noted,* I deem it right to forward, for your information, copy of a communication, dated 16th instant, received from the Resident at Rhio, on the subject of an alleged intention on the part of the Siamese kings to depose the present ruler of Tringanu in favour of his son-in-law, the ex-Sultan of Linga.

2. I need not say that such a measure would in all probability lead to serious disturbances in Tringanu, thus causing obstruction and interruption to British commerce, and constituting an infraction of the Treaty.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department,—(No. 135, dated 7 August 1861).

Sir,

IN continuation of my Despatch, No. 121, of the 19th ultimo, I have the honour to enclose, for submission to His Excellency the Governor General in Council, copies of the letters † noted in the margin, the one reporting the result of the trip of the steamer "Hooghly" to Tringanu and Pahang, and the other that of the representation made by Her Majesty's Consul at Bangkok to the Siamese authorities on the subject of their rumoured intention of deposing the Sultan of Tringanu in favour of his son-in-law, the ex-Sultan of Linga.

2. Although,

† 1. From the commander of the steamer "Hooghly," dated 29 July 1861.
2. From Her Britannic Majesty's Consul at Bangkok, dated 30 July 1861.

* Article XII. Siam shall not go and obstruct or interrupt commerce in the states of Tringanu and Kalantan. English merchants and subjects shall have trade and intercourse in future with the same facility and freedom as they have heretofore had, and the English shall not go and molest, attack or disturb those states upon any pretence whatever.

2. Although, from all accounts, the relations of the Sultan with the Siamese court are not as satisfactory as stated, I have little doubt that the representation made by Sir Robert Schomburgk will effectually prevent any undue interference on the part of the latter with the affairs of Tringanu.

Enclosures.

G. T. Wright, Esq., Commander of Her Majesty's Straits Steamer "Hooghly," to the Honourable the Resident Councillor, Singapore,—(dated 29 July 1861).

Sir,

IN answer to your Letter, No. 897, dated 23 July 1861, I have the honour to report that I proceeded on the same day to Tringanu, and arrived there on the night of the 25th; and early next morning I proceeded on shore, and delivered his Honor the Governor's letter to the Rajah, and from him learned that Inchi Wan Ahmet with his followers had left Quantan, and gone to reside at Pukkah river, in the Tringanu territory, and that he, the Rajah, had sent a letter to him, Inchi Wan Ahmet, ordering him to leave immediately, but to this letter he had received no answer.

On our way here, I called at Pukkah, but I could not see Inchi Wan Ahmet, although I waited on shore for two hours in his audience-hall for him. Some said he had gone to shoot deer, whilst others said he had gone away to the westward. I am certain he was there, but he would not show himself. I think he was afraid I would order him to leave the territory at once.

At Pahang I could get no information, except that Inchi Wan Ahmet had left Quantan, and gone to Pukkah river.

Three Siamese steamers arrived at Tringanu on the afternoon of the 26th instant, one containing the Siamese prime minister, and one the first King of Siam's son, and the other a lot of head Chinamen, &c., belonging to Bangkok. Their intentions were to have landed and seen the Rajah; but when they found the "Hooghly" there, they said they would not do so now, but would proceed to Pahang, where they intended to land and see what was the state of affairs there. As I happened to be on board of their vessel at the time, I told them I was also going to Pahang, upon which they told the Captain to go direct for Singapore, which they did on the night of the 26th. After their departure I left for Pahang. The Rajah of Tringanu did not go on board of the Siamese steamers, although he sent them presents of fowls, &c., and fire-wood and water.

At Pahang I found a Mr. Carnie, who had come from Singapore, and was going to settle there. He informed me that the Bandaharah had made an arrangement with some Company in Singapore, to sell them all the tin of Pahang; and that he was there, and about to build a large godown of Attaps, near the mouth of the river.

I beg to enclose letters from the Rajah of Tringanu, and one from the Bandaharah of Pahang to his Honor the Governor.

Sir *Robert H. Schomburgk*, Her Britannic Majesty's Consul, Bangkok, to His Honor Colonel *O. Cavenagh*, Governor of the Straits Settlements,—(dated 30 July 1861).

Sir,

WITH reference to your Honor's despatch of the 18th instant, I have the honour to inform you that, at the moment of closing this mail, I have received a despatch from the Siamese minister for foreign affairs, assuring me that the King of Siam is on the very best terms with the Rajah of Tringanu; consequently the rumour you mention may be held to be incorrect.

I will forward you a translation of his Excellency's despatch by the next opportunity.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department,—(No. 146, dated 23d August 1861).

Sir,

WITH reference to my previous despatches on the subject of the disturbed state of the country of Pahang, owing to the incursions of Inchi Wan Ahmet, I have the honour to enclose, for submission to His Excellency the Governor

General

General in Council, copy of the correspondence noted in the margin,* from which it will be perceived that the above chief, as I had anticipated, was unable to maintain his position at Quantan, and has consequently been compelled to return to Kamaman.

2. As, in the present state of his relations with Siam, it may be reasonably supposed that the Sultan of Tringanu is desirous to avoid incurring the displeasure of the British Government, and will consequently abstain from rendering Inchi Wan Ahmet any further support, whilst want of funds may possibly preclude his friends at Singapore, who, I doubt not, are the real instigators of the recent movement, from continuing to afford him assistance, I am in hopes that he will desist from attempting to establish his rule over Endow and Quantan, and Pahang may therefore be relieved from his attacks.

3. Had the incursion on the part of the Rawa tribe, reported by the Bandaharah in his last two letters, taken place at an earlier date, I should have entertained some apprehension as to the result; and the fear of the movement, which I had good reason to believe would be made, was the principal cause of my deeming it necessary to proceed in person to Pahang in May last; now, however, I am not inclined to consider the matter of any serious importance, as the Bandaharah, being at liberty to turn the whole of his attention to the one quarter, ought to be able, without any extraneous aid, to expel the invaders from his territories, more especially as the dissensions at present existing amongst the chiefs of Rambow and Sree Menanti ought to prevent their receiving from those States the support upon which they have most likely calculated; as, however, the Bandaharah may perhaps require his whole force, and by a verbal message to the resident councillor at Singapore has intimated his inability at present to furnish an escort to the Tuanko Besar, and requested that officer to bring the matter to my notice, and solicit my kind offices to prevent any offence being taken by the Sultan of Tringanu owing to the non-fulfilment of his promise to send back his sister, I have determined upon despatching the "Hooghly" to Pahang (on her return from conveying the recorder and his establishment to Malacca), with permission to offer the lady a passage should she be desirous of returning to her brother's charge. This arrangement will deprive the Sultan of all pretext for interfering with his neighbour.

4. From the returns furnished by the export and import office, I find that our trade with Pahang may be now estimated at upwards of 5,00,000 rupees per annum, and will probably increase; it is therefore evidently desirable to prevent, as far as practicable, its being interrupted.

Enclosures.

Sultan of *Tringanu* to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 27 July 1861).

After compliments,

BE it known to our friend, we despatch these few lines in place of meeting our friend. We inform our friend that his letter, dated the 19th July 1861, brought by the captain of the steamer "Hooghly," has been duly received by us safely, and we understand all its contents. Our friend brings to our notice that Inchi Wan Ahmet had left Quantan and proceeded to our territories, and our friend desires us to give him proper advice, and persuade

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- * Letter from Sultan of Tringanu, dated 27 July 1861.
 - " from Bandaharah Muda of Pahang, dated 28 July 1861.
 - " from Inchi Wan Ahmet.
 - " to Inchi Wan Ahmet, No. 436, dated 31 July 1861.
 - " from Sultan of Tringanu, dated 17 July 1861.
 - " to - - ditto - - - No. 445, dated 5 August 1861.
 - " from Bandaharah Muda of Pahang, dated 20 July 1861.
 - " - - - Ditto - - ditto.
 - " to - Ditto - - ditto, No. 447, dated 6 August 1861.
 - " from Syed Owmer of Pahang, dated 22 July 1861.
 - " to - Ditto - - ditto, No. 448, dated 6 August 1861.
 - " from Bandaharah and to ditto, dated 8 and 19 August 1861.
 - " from Bandaharah of Pahang, dated 13 August 1861.
 - " from - ditto - ditto - dated 14 August 1861.
 - " to - ditto - ditto - No. 459, dated 23 August 1861.

persuade him to come out from Kamaman and reside in Tringanu. Now we have to inform our friend that a few days before our friend's letter came up we desired our men to take a letter to our friend. We only consider that we cannot prevent Inchi Wan Ahmet, wherever he may stay, from making any disturbances in the territories of Pahang. Furthermore, on the day of the arrival of the "Hooghiy" a great man and the son of the King of Siam arrived at Tringanu with three steamers, and therefore we cannot give a full reply to our friend's letter, because we are in great anxiety.

We have only to add that there is nothing we can offer to our friend in token of friendship, but only our best respects to our friend.

Bandahara of Pahang to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 28 July 1861).

After compliments,

WE inform our friend in this friendly epistle, that our friend's letter brought by the captain of the steamer "Hooghiy" has been duly received by us, and we understood all its contents. Our friend mentions in his letter, that our friend addressed a letter to the Sultan of Tringanu on the subject of insisting and desiring him to take Inchi Wan Ahmet away to live in the neighbourhood of his own residence at Tringanu, so that Wan Ahmet may be precluded from again attempting to organize any force for making an attack upon our territories.

We are very happy to receive the assistance offered by our friend to us, but we have no other in whom to put our trust; we rely on the assistance of our friend only at all times and under any circumstances. We are very thankful to receive our friend's kindness.

Inchi Wan Ahmet, at Quantan, to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca.

After compliments,

I BEG to inform my friend of my circumstances. I am very happy and satisfied to perceive that my friend wishes to do justice to me in the affair of my variance with my brother, Inchi Wan Endote, Bandahara of Pahang, who has given his office to his son, Inchi Wan Long.

I am the son of Yon Allie Seawarajah: it was truly legal and in accordance with the laws of Mahomedan religion for me to receive my father's property. My friend may inquire this of any Malay Rajahs of Malay States.

Still, because as I was a very young child in my father's care, my father made Inchi Wan Endote Bandahara Moodah, my father had perceived in his lifetime that Wan Endote was full of envy and jealousy against me, and Syed Owmer also, because my father loved me. When my father saw that Wan Endote and Syed Owmer became so jealous, and hated me, my father gave me Sungy Endow, and five or six months after he gave me Sungy Quantan.

These two States were to be my property and for my children's livelihood, from generation to generation, so my father did not allow any person to make disturbances, nor turn me out from my position in both these territories as above mentioned; for this reason Wan Endote and Syed Owmer were jealous, and they made a false charge against me, but my father would not believe it. Then Wan Endote again removed to the interior far from my father until my father's death; he did not see my father; only I was with my father, and I buried him.

And after his death Syed Owmer and Wan Endote jointly conspired against my life; consequently, I proceeded to Singapore to visit Sultan Allie Iskandersha, whom the British Government has appointed Sultan of Johore, and a British subject. The Tumongong of Johore was annoyed because I did not visit him; he thought that he was the Sultan of Johore, and set up many people in complaint against me while at Singapore; therefore I took a passage to the Sultan of Tringanu's territories. When I left Pahang Syed Owmer and Wan Endote joined together, and strangled Inchi Suney, my father's wife, to death. Syed Owmer is the murderer of my stepmother, and she left three young children.

Syed Owmer is a stranger in my country. He is the man who makes a great deal of mischief in the country of Pahang, and makes himself master of all the Chiefs in Pahang territories, and realizes much property by force from the people, because he is my father's son-in-law. About two years ago, when I quarrelled with Wan Endote, I entered Pahang with the pleasure of all the Chiefs in Pahang, as I was the proper person to rule. When I got Pahang the Honourable Mr. Blundell, Governor of Singapore, sent a letter to me, and desired me to reside at the place where I was at that time, because he wished to come himself into Pahang to inquire into the affairs of the country; but at that time there was a bad monsoon, and he had no time to meet me, because Wan Long, the Tumongong's son-in-law, came by land from the interior of Moar with a large force until he entered Pahang to attack me; I then withdrew.

My friend will take compassion upon me, and kindly inquire about those letters of my case. At that time the Honourable Mr. Blundell and Mr. Mackenzie sent me many letters with their seals attached, but they did not force me, because the Honourable Mr. Blundell would not allow the Tumongong to interfere with the ruler of another country. Moreover, he

he reported to the Right Honourable the Governor General of Bengal about the Tumongong interfering in the affairs of Pahang. Mr. Blundell did not turn me away from Pahang, because it is my own property, given by my father; that his letter has already stated and (a copy) is in my friend's office.

At the time of Mr. Blundell, and again now, there has arisen a great quarrel, whilst the Bandahara also has become more strong. The reason is, that he has joined together with the Tumongong at Singapore, who sent his son, Aboo Baker, upon the business of another country, who brought with him a complete force. More than sixty men with about nine Burmese people amongst them (I hear that they are convicts), came from Johore, and fought with me, and Aboo Bakar apprehended three men at sea; one was killed, the other two were crucified, and his gun-boat also kept watch in Pahang, and he claims that Endow was one boundary of Johore, but all people know it is not the boundary of Johore; because now the Tumongong wishes to become Sultan of all the Malay countries, and his place of residence is at Yulo Blanga, so he only forwards his orders when desired by his law agent, and himself with his people receive pension from the British Government, and make several disturbances with other countries; but of course this cannot be without my friend's knowledge, since he transacts his business, and consults with the English gentlemen and the Government; but there is no one to take my part to point out my right and faith to the British Government, but except God Almighty.

I put my trust alone in my friend's impartial justice. The Tumongong wishes to take Endow, but cannot, because he is not my father's son, and it is only the right person who will receive the property. My friend will understand the Tumongong's claim at Singapore.

In former times the British Government has found that he was no better than a pirate, and in the Government letters this has been mentioned.

But Pahang has always been glittering, and the sun shines upon her gold and tin, &c., under the rulership of a true Sultan, and the Bandahara is bound to obey his rule; but the Tumongong is a small minister only, who is under the Bandahara, and if he did not receive the assistance from his European friend, he could not get the revenue of Johore from her legitimate owner, and with the recent Treaty he claims all Johore.

After that he denied his Rajah, and he did not abide as in the Treaty with Tunkoo Allie, who was the Sultan made by the British Government, because he wishes to perfect and strengthen his orders; so that he is the Rajah himself now. He has made himself a great enemy to Tunkoo Allie, and does not acknowledge him the Sultan of Johore; he did abide by the Treaty, and he is not under the ruler of Johore. Now that he has become rich and got more power, he does all what he thinks proper, but he could not do so at the time of Mr. Church at Singapore, and was not sufficiently powerful to commit a crime against the Sultan of Johore; also the Bandahara committed a crime against his true master and Rajah; now they both call themselves Rajahs.

One Rajah Bandahara, the other Rajah Tumongong, instead of Datu Bandahara and Datu Tumongong, and they change their seals, having made Rajahs of themselves. So on this the Tumongong makes several complaints to my friend, because he wishes to make his son, Aboo Baker, to be Rajah in Pahang, for that they join together and wish to conspire against my life. I saw his wishes, that he has nearly got them by the Malay law of Johore. Both these ministers have committed a crime against the Sultan Mahomet, and according to the laws of Malay countries long ago would have lost their lives in this world with all their relatives at once, and no lawyer could have saved them now. I see that the Tumongong has much power and that he will ask the British Government and make his own wishes, so I have become much afraid in this quarrel.

Many times the steamer has come up and down on my account, and I was much afraid; when I left Endow, three steamers came up to Pahang. I heard a report of my friend from Pahang men, that my friend intended to come up and destroy me with force or take me away to Singapore. My friend has made an agreement with Wan Long, and the copy my friend has forwarded to me. The Tumongong's son-in-law and Syed Owmer are mischievous and wishes to put me out from Pahang at once, and would give me a little money; after I went into Quantan a steamer came up with about twenty police peons to kidnap me in my country whilst amongst my men, for which course I am very sorry, as this was the last hope of my safety. Though I was in my right cause, yet the Government will on consideration confer on me some kind of favour, in some way or other, rather than to take me before my mortal enemy, the Tumongong, who can invent a thousand devices to injure me and the gift of my father, which is sufficient for me; my friend will consider, is it possible for me to live in Pahang for one moment without the desire of the people, with the exception of few? Oh no! impossible. I beg earnestly my friend to consider well before he puts me to destruction. I beg my friend will particularly inquire into the nature of my case, and my birth and the gifts of my father; my friend will not listen wholly to the Tumongong's side, for the Tumongong has no right at all to interfere with the affairs of Pahang, nor any other Peninsular Malayan chiefs; then I would further beg, if my friend thinks it right, I wish this case to be brought to the notice of the great Governor of Bengal, to see whether he will agree to this, that one who lives upon Government pension, such as the Tumongong, has any right to interfere, so as to cause an open war in a foreign country, between two brothers who are quarrelling for their father's property, and this person interferes and makes out a treaty with Pahang for himself. I beg my friend will have compassion on and do justice to me, but I only wanted to keep possession of what my father has given to me during his lifetime. I beg my friend will not allow him (the Tumongong) to interfere

ferre in the affairs of Pahang, neither his boats nor people, and will not come to destroy me in the name of my friend, until such time as my friend gets the reply from Bengal. I hope my friend will live long and prosperously, and hold the appointment of Governor. I have no desire to become Bandahara; only I wish to keep what my father has given me in his life-time. Whilst he had enough for himself he was made Bandahara Mooda, though not a full Bandahara; yet, as he is being instigated by the Tumongong, who supplies him with arms and ammunition to beat me wherever I go, whether to Endow he beats me just the same as when I am at Quantan; of course I make my retreat, for I have not the power to resist him, but as long as I live I will have again my place which my father has given to me.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to *Inchi Wan Ahmet*,—(No. 436, dated 31 July 1861).

After compliments,

WE have received our friend's letter and become acquainted with its contents.

With regard to our friend's claim to Quantan and Endow, we deem it right to point out to our friend that, supposing the authenticity of the documents on which it is based to be substantiated, the claim even then would only extend to the receipt of the revenue, as those districts, forming a portion of the country of Pahang, must be under the orders of its ruler, and consequently could not be governed by any independent chief. Owing, however, to the continued disputes between our friend and his brother, the whole country has been much disturbed, and the trade between Pahang and Singapore having been interrupted, serious injury has been inflicted upon British subjects. Hence, for the protection of British interests, it has become necessary for this Government to interfere, and our friend must distinctly understand that he will not be allowed to make incursions into Pahang, or to take possession of the districts of Quantan and Endow without having previously obtained the sanction of the Bandahara, to whom, under any circumstances, even according to his own account, he must be considered subject.

2. We have referred to our predecessor's correspondence with our friend, and we find that, equally with ourselves, he did not fail to warn our friend against persevering in the course he has lately pursued, and to prohibit his disturbing the peace of Pahang. This being the case, if our remonstrance is again unheeded, we shall not hesitate to dispatch a force to the support of the Bandaharah, and to expel our friend from any position he may take up within the territories of the above chief.

3. Should our friend wish us to mediate between himself and his relative we shall be happy to do so, but as he omitted to avail himself of our offer in the first instance, we can no longer consider the Bandaharah bound by his agreement, though we might still entertain hopes of his being willing to agree to any decision at which we might arrive, and to allow our friend a suitable sum for his support.

Sultan of *Tringanu*, to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 17 July 1861).

After compliments,

BE it known to our friend that we dispatch these few lines, to acquaint our friend that Wan Ahmet has gone out from Quantan, and come to reside in our territories at Kamaman, though we intend to detain him afterwards; perhaps he will again make a disturbance in the territories of Pahang. We much fear that our name will be mixed up in the quarrel between him and his brother, and we are afraid to offend the British Government, because Inchi Wan Ahmet when he again resides in our territories, if he choose to go to Pahang or any other places he may wish to go, it is not in our power to prevent him, because he is a subject of another country; he wishes to return to his place; therefore, how can we prevent his wishes? Moreover, we do not choose to interfere with the affairs of another country; we therefore expelled Inchi Wan Ahmet, and did not allow him to remain at Kamaman; then he wished to go into Sunghy Packah, the place he occupied before. We expelled him also from that place, and did not allow him to remain there any more. But now Inchi Wan Ahmet has proceeded again into a small river to the northwards belonging to us, so from that place also we intend to expel him; perhaps that will lead to a quarrel between us and him, but we think that no quarrel will happen, because Inchi Wan Ahmet has done nothing to us, so we have no heart to ruin him, because we think that Inchi Wan Ahmet and Pahang man, both parties, are relatives to us; but now we consider that our friend only has power to do proper justice to him, that peace may be restored and a place for his residence, where he can gain his livelihood, be settled on him, and there may be no more quarrels between brother and brother, but we do not like to see those disputes between both parties; however, our friend knows best the circumstances of all the territories of Pahang.

We have only to add that there is nothing we can offer to our friend in token of our regard, but our best respects to our friend.

Now we desired our men, named Katabe Ahmet and Inchi Mamood, to receive the answer of our friend.

Colonel

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Sultan of *Tringanu*,—(No. 445, dated 5 August 1861).

After compliments,

WE have received our friend's letter of the 17th July 1861, and are glad to find that he has determined to withdraw all support from Inchi Wan Ahmet; if he will also warn all his subjects from taking any part in the dispute between that chief and his relative, the Bandaharah, we have little doubt that the former will abstain from making any future incursions into Pahang, as, without assistance from others, such incursions can lead to no beneficial result, and, indeed, must ultimately tend to his utter defeat and ruin. As we are quite prepared to exert the means at our disposal to put a stop to the disturbances that have so long prevailed along the Pahang coast, and interfered with the commerce formerly existing between that country and Singapore, we shall be always glad to receive good accounts from our friend.

Bandaharah *Moodah* of Pahang to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 20 July 1861).

After compliments,

WE beg to inform our friend that we arrived at Pahang with safety on the 9th Mohorrum 1278 (the 17th July 1861). At the time we arrived at Pahang, we found that Wan Ahmet had left Quantan on the 30th Dulhadje 1277 (the 8th July 1861); our brother, Yon Abdool Raheman, desired a man to watch, and he reported that Wan Ahmet had gone to reside in Kamaman; for that reason we complain to our friend that Wan Ahmet has three times now gone to Kamaman; 1st, at the time we attacked him in Pahang he ran to Kamaman and Tringanu; afterwards, the second time he came out from Kamaman, and wished to attack Pahang, when we heard of it and put a watch over him. He proceeded to Endow; we sent our people to follow him, and from Endow he ran to Kamaman. Again, the third time he came out from Kamaman and entered Quantan. We desired our people and Quantan men to follow and attack him, so he ran from Quantan into Kamaman again. For this reason we complain to our friend, and our friend must know best about Wan Ahmet's affairs. Moreover, we have no other in whom to put our trust; only we hope our friend will assist us at once about this circumstance.

Datto Bandaharah *Moodah* of Pahang, to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 29 July 1861).

After compliments,

WE have now to communicate to our friend that, at the time when we arrived in Pahang, the same day also our brother came to us and said that Wan Ahmet had gone into Kamaman three days before we arrived at Pahang; this we make known to our friend, and submit, for our friend's consideration, how the Sultan of Tringanu stated to our friend that he did not mix or interfere with this matter at all; our friend may think of that. When Wan Ahmet ran from Endow and proceeded to Kamaman; also Wan Ahmet made his force ready and complete with Tringanu men and Kamaman men together, and again came to attack Quantan also, but this time he ran again from Quantan to Kamaman. Wan Ahmet stops in Kamaman to make ready a force and again attack our country; our friend will consider if the Sultan of Tringanu did not like; of course Wan Ahmet cannot make ready such a large force in his territories; therefore we inform our friend that we must attack Wan Ahmet in Kamaman, because of his daring piracy. When he had completed his force and his provisions, he then came to attack our country; we were greatly surprised at this; how the Sultan of Tringanu could have acquainted our friend that he did not interfere at all in the affairs of Wan Ahmet, and now our friend will easily conceive from whom Wan Ahmet obtained supplies, and whence he obtained money to buy powder and shots, and for his people's expenses; we think of course he must have the assistance of Sultan of Tringanu, and therefore we make this known to our friend, and we beg for a reply as soon as convenient, because we cannot trust to any other for assistance except our friend. Our best respects to our friend.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Bandaharah of Pahang,—(No. 447, dated 6 August 1861).

After compliments,

WE have received our friend's letters of the 20th July 1861, and are glad to hear that, as we originally anticipated, Inchi Wan Ahmet was unable to retain his position at Quantan, and has been obliged to retire from our friend's country. We have recently received a communication on the same subject from the Sultan of Tringanu, who assures us that, although he should be glad to learn that a reconciliation had taken place between our friend and his relative, he will not interfere in any respect, or afford any assistance to the latter; we therefore entertain a reasonable hope that no future incursions will be made into our friend's territories, and that his subjects will be allowed to remain undisturbed; under these

these circumstances, we should hardly consider our friend justified in pursuing any course likely to embroil him with the Sultan, nor would he receive our support in so doing. We shall always be glad to hear of the welfare of our friend, and of the prosperity of his country, which we will never fail to exert our influence to secure.

Syed Owmer, of Pahang, to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 22 July 1861).

After compliments,

WE beg to inform our friend, we have received a report that a person has brought to our friend's notice that all Pahang men do not like the Rajah Bandaharah, but prefer Wan Ahmet; now the Pahang people did not make such a report at all that they liked Wan Ahmet; we could say, all Pahang men did not like him at all; they like the Rajah Bandaharah; but now we beg to inform our friend that there have been four years since Wan Ahmet attacked Pahang, and ruled at Pahang River about four months only. We have been informed that all the great men and dattoos and the subjects of Pahang did not like Wan Ahmet, so the Pahang men expelled him; then he ran from Pahang to Kamaman, but our friend will think and take into consideration all the circumstances; we all in Pahang now make this true letter of complaint to our friend; but we in Pahang, and all subjects, cannot live like this, for Wan Ahmet's proceedings in the country of Pahang and its territory, are like those of robbers; this is our complaint to our friend, and we all hope for the assistance of our friend.

Lieutenant *J. N. Protheroe*, Officiating Secretary to the Governor, to *Syed Owmer*, of Pahang,—(No. 448, dated Singapore, 6 August 1861).

After compliments,

I HAVE been desired by his honour the Governor to acknowledge the receipt of your representation, dated 22d July 1861, and to inform you that his Honour is most anxious that your country should enjoy the blessings of peace, and that the dissensions by which it has been disturbed for some time past should cease; he is quite prepared therefore to exert his influence to secure this satisfactory result.

Datto Bandaharah *Moodah*, of Pahang, to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 8 August 1861).

After compliments,

MOREOVER we make known to our friend these circumstances: we have to inform our friend about the Sultan of Tringanu, who has addressed us a few lines, mentioning that he wishes to send his brother to Pahang, to take his relative, Tunkoo Besar, to Tringanu; for this reason we complain to our friend, because at the time when we met our friend in Singapore, our friend informed us that the Sultan of Tringanu wished to send his people to Pahang to take his relative to Tringanu, and our friend advised the Sultan not to allow his subjects to come up to Pahang to take his relative, as, if she wished to return to Tringanu, the Pahang people would escort her. This our friend told us, and we are happy to receive the favour and assistance of our friend; but now, if our friend will order us to send his relative to Tringanu, we shall send her at once to Tringanu. Moreover, we inform our friend regarding his relative, Tunkoo Besar; she does not like the Tringanu people to come and take her away, and she begged us to send her, so we begged her to wait till we inform our friend first; if we receive our friend's order and sanction to send her, then we shall do so at once; thus we promised her, if possible; we hope that our friend will let us send her.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore and Malacca, to the Bandaharah of Pahang,—(No. 455, dated 19 August 1861).

After compliments,

WE have received our friend's letter of the 8th instant, and in reply, we advise our friend to forward, as he proposes, the Sultan's relative to Tringanu, under the charge of his own people, an arrangement that would deprive the Sultan of all excuse for dispatching any of his followers to Pahang. We trust that our friend's country is now enjoying peace and quietness.

Bandaharah of Pahang to his Honour the Governor,—(dated 14 August 1861).

After compliments,

I WRITE to inform my friend in all friendship, that Inchi Wan Ahmet has sent some people to my country to fight with me, and one man, whose name is Wan Doot, came from the direction of Tringanu by land, and visited the Rawa tribe for the purpose of making mischief

mischief in my country. At the time of my writing this letter, Wan Doot and the Rawa people are fighting within my territories, and have killed six or seven men, and seized 30 women with their property, and about 500 buffaloes.

I have received intelligence that these people intend to sell the buffaloes in Sungey Ujong, and of all the Chinese trading boats, eight in number, which were in the interior with merchandise; Wan Doot and the Rawas seized three; they killed the crew of one boat and the crews of the other; two escaped; the boats were plundered; the other five boats got away to Pahang village. The merchandise on board of these boats is from Singapore, and on this account I complain to my friend. I consider that the property lost in these boats amounts to \$. 5,000, and I have also heard that Wan Ahmet, when the mouth of the river is closed, intends to come and attack me by land; and I inform my friend that one of my men has brought news from Rambow, that Rambow men are coming to fight against me; the forts are all ready, and they are only waiting for the son of the Rajah of Rambow, who is coming from Singapore, because the son of the Rajah of Rambow has been taking counsel with the Sultan of Johore to attack my country.

This is what I complain of. I have no one else to look to for assistance, except my friend. I hope my friend will assist me.

Datto Bandaharah of Pahang, to the Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 15 August 1861).

After compliments,

WE acquaint our friend that we have received safely our friend's letter, brought by Datto Mattah, and understood all its contents. We therefore have much pleasure in receiving the favour and assistance of our friend; for that we can offer nothing, but the Almighty will return the kindness of our friend to us. Moreover, we inform our friend with regard to Wan Ahmet; we hear he is out from Paka and has entered into Kalantan; as the interior of Kalantan and the country of Pahang are near each other, surely he will be troublesome to us. Under these circumstances, we therefore beg the assistance of our friend not to allow him to go out from Tringanu, if he does not wish to remain at Tringanu. The Sultan of Tringanu should properly order Inchi Wan Ahmet to proceed to Singapore, or perhaps our friend will prevent him, and not allow him to come out from Tringanu; but we now hope for the assistance of our friend to us, because our subjects are all in great trouble, and find it very difficult to get their livelihood; and all traders also are in trouble to carry on trade in our country; but now we have no other person to complain to, and we only hope the favour of our friend upon our children in Pahang.

The Honourable Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to Bandaharah of Pahang,—(No. 459, dated 23 August 1861).

After compliments,

WE have received our friend's letters of the 14th and 15th instant, and regret much to hear that his country is again in a disturbed state, owing to the incursions made by the Rawa tribe. We, however, entertain sanguine hopes that, through the exertions of his own followers, these plunderers will soon be expelled from our friend's territories, and peace will be restored.

We are certain that Inchi Wan Ahmet will receive no support from the Sultan of Tringanu; at the same time, in accordance with our friend's wishes, we will shortly address his Highness on the subject, and the commander of the steamer by which our letter will be forwarded to Tringanu will be instructed, in the first instance, to visit Pahang, and to ascertain from our friend the actual state of affairs, in order that he may report to us on his return. We shall always be glad to hear of our friend's welfare.

Colonel *H. M. Durand*, c. b., Officiating Secretary to the Government of India, Foreign Department, to the Governor of the Straits Settlements,—(No. 5298, dated 13 September 1861).

Honourable Sir,

IN reply to your letter, No. 146, dated 23d ultimo, forwarding further papers on the subject of the disturbed state of the country of Pahang, owing to the incursions of Inchi Wan Ahmet, I am directed to inform you that your proceedings with respect to the offer of the steamer "Hooghly" to convey the sister of the Sultan of Tringanu, are approved by the Governor General in Council.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department, —(No. 100, dated 24 July 1862).

Sir,

WITH reference to my Despatch, No. 135, dated the 7th August 1861, I have the honour to enclose, for submission to his Excellency the Governor General in Council, copy of the correspondence, noted in the margin,* on the subject of the recent visit of the ex-Sultan of Linga to Tringanu in a Siamese man-of-war.

2. Although the information I received, which embraced that contained in the 3d paragraph of Sir Robert Schomburgk's Despatch of the 18th instant, was furnished from a source in which I was certain that I could place perfect confidence, it was not one that I should have felt justified in quoting in a public correspondence, and I consequently contented myself with addressing Sir Robert demi-officially, so as to enable him to take measures to protect our interests in the event of their being threatened. Subsequently, however, this information was corroborated by the contents of a letter from the Bandaharah of Pahang to his highness the Tumongong, and I should have consequently considered it my duty to have written officially on the matter had not Sir Robert himself rendered any further action on my part unnecessary, by promptly acting on my first communication.

3. As the contemplated visit of the ex-Sultan to Tringanu had already formed the subject of a remonstrance from the British Government to the Court of Bangkok, his recent despatch to that state in a Siamese man-of-war steamer, without any communication being made to Her Majesty's representative, was undoubtedly an act of discourtesy, regarding which I have every reason to believe that an expression of the sentiments of his Excellency in Council might be attended with beneficial effect.

4. I trust I may be pardoned for observing that, with a large European settlement in Cochin China, the maintenance of the peace of the Peninsula, so as to afford no grounds for foreign interference, is daily becoming a matter of increasing importance.

Enclosures.

EXTRACT from demi-official Letter, dated 27 June 1862, to Sir *Robert Schomburgk*, Her Britannic Majesty's Consul at Bangkok.

I WRITE these few lines to mention that a report has reached me that it is the intention of the court of Siam to appoint the ex-Sultan of Linga Governor over the tributary states of Tringanu and Kalantan; and that with the view of assuming charge of his new duties, he is about to leave Bangkok in one of the Government steamers, named, I believe, the "Conqueror." Of course I cannot vouch for the accuracy of this statement, but the quarter from which I received the information leads me to think that the story cannot be entirely without foundation. Now, in the first instance, I do not think that our Government is at all prepared to recognise the right of Siam to exercise over the two above-mentioned states a protectorate of this nature under any circumstances; and, in the second, there can be no doubt that the appearance of the ex-Sultan on the coast of the Malay Peninsula would immediately give rise to disturbances that would be extremely detrimental to our trade, and consequently that his appointment, even if warranted by the relations of the two states with Siam and with ourselves, would be contrary to the terms of the treaty. Should I hear anything further I will address you officially on the subject. In the meanwhile, however, this information may perhaps suffice to enable you to make the requisite inquiries, and prevent the adoption of any measures likely to disturb the peace of the Peninsula, and consequently to be prejudicial to our interests. Either the "Scout" or the "Beagle" will leave this in a few days for your part of the world, and I will request the officer in command to touch at the intermediate ports *en route*. The presence of a man-of-war on the coast will probably be beneficial.

* No. 1. Extract from demi-official letter, dated 27 June 1862, from the Governor of the Straits Settlements to Her Britannic Majesty's consul, Bangkok.

Letter, dated 9 July 1862, from Her Britannic Majesty's consul to the Governor of the Straits Settlements.

Letter, dated 18 July 1862, from Her Britannic Majesty's consul, Bangkok, to the Governor of the Straits Settlements.

Sir *R. H. Schomburgh*, Her Britannic Majesty's Consul, Bangkok, to Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, Singapore,—(dated 9 July 1862).

Sir,

I HAVE the honour to acknowledge the receipt of your Honor's letter of the 27th of June per "Gironde."

You will recollect that, some months since, you drew my attention to the fact that the ex-Sultan of Linga was residing at Bangkok; I sought then an interview with the Phraklang, or Minister of Foreign Affairs, who declared that he was merely a visitor, and that the king had no intention to entrust to him the charge of any of the Malay Provinces.

The ex-Sultan called a few days after this at the consulate, and confirmed the * * Phraklang had given to me.

The Kalahome or Prime Minister is Inspector of the Malay Peninsula. He was at that time on his journey to Singapore, Queda, &c.

The king's steamer, the "Enemy Chaser" (not the "Conqueror"), left with a number of other Siamese vessels for Cambodia, where it was said disturbances had broken out. The ex-Sultan was a passenger on board of that steamer, and quietness having been restored, the Siamese fleet returned to the bar of the Menam; from thence the ex-Sultan proceeded per "Enemy Chaser" to Tringanu.

As soon as I received your letter of the 27th last month, I addressed myself forthwith to the Kalahome, and requested an interview. He forestalled me, and called at my residence. I drew his attention to the subject, how impolitely his Government acted by sending a person of the unruly character the ex-Sultan of Linga was said to possess to Tringanu, where disturbances were known to have existed, and would probably arise again on his appearance, to the detriment of the inhabitants and our commerce. The Kalahome pleaded ignorance that the ex-Sultan was distasteful to us; he thought it were only the Dutch that complained against him. I observed to his Excellency that, during his absence, I had had an interview with the Phraklang on the subject, with the nature of which he pretended to be ignorant.

However, as regards the present affairs, he explained that, in sending the ex-Sultan of Linga to Tringanu in a Siamese vessel of war, nothing but a simple compliment was intended, and that he neither is now, nor is he intended to be, appointed to any official position in the Malay Peninsular States dependent on Siam. That he goes only to Tringanu for the purpose of residing with his mother, who is the sister of the Rajah of that place.

His Excellency further declared, that the Siamese Government do not purpose making any alteration in the Government of the Malay States near the British territories without consulting the representative of Her Majesty's Government at Siam.

I could do no otherwise but declare myself satisfied with the explanation given by the Kalahome, warning him of the consequence should the ex-Sultan of Linga endeavour to create a party for the overthrow of his uncle, the present Sultan of Tringanu. I showed to the Kalahome a copy of the Singapore "Free Press," containing remarks on this subject, and a copy of the treaty concluded between Johore and Pahang, which he said he would place before the king.

If the commerce of the Malay Peninsula is of interest to British merchants, one of Her Majesty's men-of-war ought to show herself, from time to time, along that coast and in the Gulf of Siam, where piracy is frequently committed.

Since the visit of Her Majesty's ship the "Esk" in January 1860, no British man-of-war has been seen in Siam.

Sir *R. H. Schomburgh*, Her Britannic Majesty's Consul, Bangkok, to Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, Singapore,—(dated 18 July 1862).

Sir,

SINCE I had the honour of addressing you on the 9th of July, Her Majesty's steamer "Beagle," Captain Hay, arrived here last Saturday. Their Majesties the first and the second king gave audiences to Captain Hay and his officers, and we waited likewise on the ministers.

2. I took opportunity during our audience of the first king to turn the conversation upon the affairs in Tringanu. His Majesty had already been informed that the "Beagle" had touched at Tringanu, and gave us to understand that the Siamese Government do not interfere with the succession in the Malay States unless it be disputed, when the King of Siam as Suzerain elects the rajah. His Majesty declared that the ex-Sultan of Linga is not sent to Tringanu as successor to the present rajah; he went there because his mother lives there. He will not be permitted to interfere with the good order of the State, and should he factiously endeavour to oust the present rajah, he will be put down by a Siamese army, but if, after the present rajah dies, the people wish to elect Sultan Mahomet, his Majesty would not interfere.

3. It seems that the ex-rajah has known to ingratiate himself with the king, and it is amongst other things related that he has presented his handsome sister to the royal harem, where she domineers.

4. The king paid great attention to Captain Hay and his officers, and, I believe, they are pleased with their visit to Bangkok.

5. The good effect of the appearance of one of Her Majesty's ships occasionally must not be overlooked, and the "Beagle" coming up the river and anchoring opposite the consulate increased much the apprehensions of the king and his ministers before the object of her visit was known.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department,—(No. 103, dated 26 July 1862).

Sir,

IN continuation of my Despatch, No. 100, dated the 24th instant, I have the honour to enclose for submission to His Excellency the Governor General in Council, a translation of a communication just received from the Bandaharah of Pahang, from which it will be perceived that the presence of the ex-Sultan of Linga in the Peninsula has already caused an uneasy feeling in that State.

2. Should Inchi Wan Ahmet attempt to create any disturbance in Pahang, I should of course again consider it my duty to adopt measures for ensuring his expulsion from the country.

3. I purpose furnishing Sir Robert Schomburgk with a copy of the Bandaharah's letter, and at the same time informing him that the matter has been referred for the orders of his Excellency in Council.

Enclosure.

Bandaharah of Pahang to the Honourable Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements,—(dated 21 July 1862).

After compliments,

WE beg to thank our friend's favour in sending us back in safety to our country, and we are now ready to move into the interior of the country, because we wish to put the Chinamen in proper order to work the gold, and to settle the petty quarrels with the Rawas; at the same time news has been received that the Sultan of Linga has arrived in Kalantan with a Siamese war steamer, and from thence proceeded to Tringanu, taking with him Inchi Wan Ahmet, with eight large and small prahus, and that they have landed at Tringanu, and that Inchi Wan Ahmet will be desired by the Sultan of Linga to attack Pahang from Soongy Doongon; now Soongy Doongon is under the charge of the Sultan of Tringanu, and we heard that the Sultan of Linga wishes to remain in Tringanu; moreover, we hope that our friend will take this into consideration, that the Sultan of Linga came with the Siamese war steamer, and brought Wan Ahmet with him, and what will become of us if two or three rajahs assist Wan Ahmet to destroy our position? and how could we exist with all our subjects getting into much trouble? There is no other but only our friend who can assist us, and we hope that he may desire the British steamer with our friend's letter to the Sultan of Tringanu, that he will not allow persons under his charge to attack others; we think of course that he will respect the name of the British Government, for that we hope that our friend will watch the rajahs of this coast; we have nothing to send to our friend but only best respects.

Colonel *H. M. Durand*, c.b., Secretary to the Government of India, Foreign Department, to the Governor of the Straits Settlements,—(No. 809, dated 30 August 1862).

Honourable Sir,

I HAVE received and laid before the Governor General in Council your two despatches of the dates and numbers noted in the margin*, and, in reply, I am directed to inform you that His Excellency in Council has learnt with regret the despatch to Tringanu of the ex-Sultan of Linga and of Inchi Wan Ahmet by the Siamese Government. I am desired to add that, in thus acting, the King of Siam has incurred a grave responsibility, and that His Excellency in Council cannot but view with displeasure a course not only wanting in courtesy to the British Government, but threatening to disturb that peace and good order which it is the object of the British Government to maintain throughout the Malayan Peninsula.

2. The intention expressed in paragraph 2 of your letter of the 26th July is approved by the Governor General in Council.

Colonel

* Letter, dated
24 July, No. 100.
Letter, dated
26 July, No. 103.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore and Malacca, to the Secretary to the Government of India, Foreign Department, —(No. 124, dated 18 September 1862.)

Sir,

IN continuation of my Despatches, Nos. 100 and 103, dated 24th and 26th July 1862, I have the honour to enclose, for submission to his Excellency the Governor General in Council, copies of the letters* noted in the margin, on the subject of the continued residence of the ex-Sultan of Linga in Tringanu, and the attack which, apparently at his instigation, has been made upon the neighbouring State of Pahang to the serious detriment of our trade with that country, the supply of tin, for which advances have been made by British subjects, and for which at present there is a great demand, having in a great measure failed, owing to the unwillingness of the Chinese miners to re-open the mines so long as there is a probability of their suffering from the depredations of the band of marauders under Inchi Wan Ahmed, who, on the receipt of the last reports, was in the vicinity of the mining district.

As, consequent on the representation made by Sir Robert Schomburgk, the Court of Bangkok has, as will be perceived from the annexures to his letter, issued instructions for the return of the ex-Sultan to Siam, I am in hopes that my strong remonstrance addressed to the Sultan of Tringanu may have the effect of inducing that chief to withdraw his support from Inchi Wan Ahmed, in which case I have little doubt that, aided by the Tumongong of Johore, under the provisions of the recent treaty, the Bandaharah will ere long expel all intruders, and restore to Pahang the peace and quietness so essential to the interests of his own people and to the advancement of our commerce in that quarter.

Enclosures.

Sir *Robert H. Schomburgk*, Her Britannic Majesty's Consul, Bangkok, to his Honor Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements,—(dated 26 August 1862.)

Sir,

I HAVE the honour to forward, for your information, copies† of further correspondence with the Siamese Government, on the subject of your Honor's Despatch of the 28th of July last.

Sir *Robert H. Schomburgk*, Her Britannic Majesty's Consul, Bangkok, to his Excellency *Chow Phya Phraklang*, Minister for Foreign Affairs,—(dated 14 August 1862.)

Sir,

I ENCLOSE, for your Excellency's information, a Despatch, and its enclosures, addressed to me by his Honor the Governor of the Straits Settlements, relating to the ex-Sultan of Linga.

Your Excellency will perceive that the residence of Sultan Mahomed at Tringanu is causing great uneasiness in the Malay Peninsula, and is a source of anxiety to the Government of the Straits Settlements of Great Britain.

I beg your Excellency to urge your Government to take measures that there may arise from this no interruption of the friendly relations between Great Britain and Siam.

I have addressed his Majesty, the first King on this subject, and I enclose the letter, begging your Excellency to deliver it.

TRANSLATION of a Letter from *Chow Phya Phraklang*, Minister for Foreign Affairs, to Sir *Robert H. Schomburgk*, Her Britannic Majesty's Consul, Bangkok,—(dated 23 August 1862.)

I HAD the honour of receiving your letter referring to the ex-Sultan of Linga, and enclosing me copies of the letters of Colonel Cavenagh, Governor of Singapore, Malacca and Penang, of the Bandahara of Pahang to the Tumongong of Johore, and of the Rajah of Tringanu to the Governor of Singapore. The various subjects contained in those letters I had the honour of conveying to his Majesty the King of Siam, and of informing his Excellency *Chow Phya Sri Suriwongs*, who has authority over the Malayan Provinces of Siam.

His

* 1. Letter from Her Britannic Majesty's Consul, Siam, dated 26 August 1862, with annexures.
 2. Letter from Bandaharah of Pahang, dated 19 August 1862.
 3. Letter to Bandaharah of Pahang, No. 348, dated 2 September 1862.
 4. Letter to Sultan of Tringanu, No. 349, dated 2 September 1862.
 5. Letter to Her Britannic Majesty's Consul at Siam, No. 352, dated 5 September 1862.

† Consul Schomburgk to *Chow Phya Phraklang*.
Chow Phya Phraklang to Sir Robert Schomburgk, with four sub-enclosures.

His Majesty, in consultation with the ministers of state, requested me to give you the following explanations:—

Formerly Chay Deng Mahomed, servant of Sultan Mahomet, came to Bangkok and stated that Sultan Mahomet, nephew to the Rajah of Tringanu, succeeded his father as Sultan of Linga for many years, and the Dutch had deposed him; he was therefore necessitated to live temporarily in Rhio in Singapore, and afterwards in Pahang, where he remained three years. Sultan Mahomet wished to visit Bangkok to pay his respects to, and make the acquaintance of, his Majesty the King of Siam.

His Majesty graciously remarked that Sultan Mahomet was the nephew of the Rajah of Tringanu, which country was tributary to Siam, and if Sultan Mahomet desired to visit Bangkok, he might come.

When the Singora vessels went to Tringanu, Sultan Mahomet took a passage in one of them, arrived in Bangkok, and had a royal audience, at which he informed his Majesty that the Dutch had sent him away from his home and country, and he gave an account of all his hardships and privations. His Majesty, considering Sultan Mahomet was the nephew of the Rajah of Tringanu, and was formerly a Malay chief, and obliged to leave his country to wander about several places until he came to Bangkok, had great pity on him, and ordered that a residence should be prepared for him, and food and money provided him, considering him as of the same dignity as the chiefs of the tributary States of Siam when they visit Bangkok.

On the 27th July 1861, before the arrival of Sultan Mahomet, you wrote me, saying the Governor of Singapore had informed you that there was a rumour that the Siamese Government proposed to degrade the present Rajah of Tringanu, and appoint his son-in-law in his place, and you requested information on the subject.

I replied to the above in a letter, to which I beg to refer you.

In March last, after the arrival of Sultan Mahomet in Bangkok, Mr. Loudon, the Dutch ambassador, came here to exchange the ratifications of the treaty. His Excellency Chow Phya Sri Suriwongs made inquiries of Mr. Loudon, in presence of Sultan Mahomet: Mr. Loudon informed his Excellency that Sultan Mahomet was Governor of Linga, and did not attend to the business of the country, but was continually travelling out of his country. The Dutch Government remonstrated with him several times, but he would not listen; they therefore deposed him, but that, whenever Sultan Mahomet would consent to return to the Dutch territories, they would allow him to reside in Batavia, and would provide and support him in a position as ex-Sultan of a Malayan country. On asking Sultan Mahomet if he desired so, he would not consent.

In May last the Governor of Singora sent a letter here, stating the Rajah of Tringanu had written him that the mother of Sultan Mahomet had arrived from Pahang, and was residing in Tringanu; she was longing to see Sultan Mahomet, and wished him to return. Sultan Mahomet begged leave to go, saying that he desired to live with his mother in Tringanu.

When the steamer "Illustrious Conqueror" was starting on Government business for Lagore and Singora, Sultan Mahomet was therefore sent in her, with orders to forward him as far as Tringanu. Sultan Mahomet, when he arrived here, came from Tringanu; he was therefore allowed to go back to that place, considering that there was nothing improper in doing so.

Sultan Mahomet resided in Bangkok several months; you never informed me that he had been in any way involved with the English at any time. When he left this I did not inform you, seeing that Sultan Mahomet was not a Siamese or a British subject, but was only a person without a home, travelling about and living in different places according to his pleasure; and I, not perceiving that it would be of importance to you, did not inform you at the time.

The Siamese Government endeavour to preserve the existing friendship faithfully, and never thought of encouraging or empowering Sultan Mahomet to do anything wrong.

His Excellency Chow Phya Sri Suriwongs has sent copies of the letters sent with Sultan Mahomet to the Rajah of Tringanu, and of the letter received from the Rajah of Tringanu, with the prepared answers to the same, in all four copies, translated into English for your consideration.

TRANSLATION of a Letter from *Chow Phya Argga, Maha Sena Dhipate Abhay Birey Parakrom Bahu Samuha Phra Kralahome*, to *Phya Bijay Bhubendr Narendr Bhaety Sri*, Sultan Mahomet, *Ratni Rajpatendr Surindr Rawinangsa Phya Tringanu*,—(dated Bangkok, 11 June 1862.)

SULTAN MAHOMET arrived in Bangkok in September 1861, when he was conducted to an audience of his Majesty the King of Siam.

What his Majesty remarked and thought at the time is mentioned in the letter sent with Urang Kayan before this.

A house was provided for Sultan Mahomet and his family to live in comfortably; food was also provided for him regularly since his arrival; and his Majesty bestowed on him at one time 400 ticals, and at another time 2,000 dollars, to purchase whatever articles he was in need of. His Majesty was pleased to say, whenever Sultan Mahomet wished to take leave and go back, his Majesty would send a vessel with him. Sultan Mahomet replied that he was very happy in Bangkok, and did not then intend to take leave.

On the 14th May last, Sultan Mahomet wrote a letter, stating that he had been away from his mother for a long time, and begged leave to return to Tringanu, and also requested a letter to Phya Tringanu.

This was represented to his Majesty the King of Siam, who replied that Sultan Mahomet was a Malay chief and accustomed to govern; was once in a dignified position, and was obliged to leave his country and wander about in other places. His Majesty pitied him much, and intended to have done something for him; but as yet there had been no reason. Now Sultan Mahomet begs to take leave to return to his mother in Tringanu, because Phya Tringanu is a near relation of his, and would provide for him comfortably. His Majesty then made several gifts to Sultan Mahomet and family.

Should the steamer "Illustrious Conqueror" arrive at Tringanu, let Phya Tringanu receive Sultan Mahomet, and provide a place for him and his family to live in comfortably, and must not allow any one to molest or oppress him.

Let Phya Tringanu order Sri Towan Kromakan (subordinate officer of Government) to provide fuel and water. Written in Siamese and in Malay for the steamer "Illustrious Conqueror" without delay.

TRANSLATION of a Letter of *Phya Bijay Bhubendr Narendr Bhaety Sri*, Sultan Mahomet, *Ratni Rajpatendr Surindr Rawinaunga Phya Tringanu*, to *Chow Phya Argga, Maha Sena Dhipate Abhay Birey Parakrom Bahu Samuha Phra Kalahome*,—(dated Tringanu, 12 July 1862.)

PHYA TRINGANU sends information that Hluang Sri Maha Racha Chow Krom Apacham, together with the captain and officers of the steamer "Illustrious Conqueror," that conveyed Sultan Mahomet by order of his Majesty the King of Siam, arrived safely at Tringanu on the 7th July, at 9 p.m. Phya Tringanu received the Despatch of the Kalahome (seal) and Sultan Mahomet with much pleasure, and understands from the said Despatch that Sultan Mahomet had an audience of his Majesty, and was comfortably provided for until he left, when his Majesty graciously bestowed on him and his family several royal gifts; also that his Majesty had great compassion on him, and wished to have done something for him, but there had been no reason to do so, and that Sultan Mahomet took his leave to go and live with his mother in Tringanu.

In the Despatch it also states, let Phya Tringanu receive Sultan Mahomet, and provide a place for him and his relatives to live in comfortably, and not to allow any one to annoy or oppress him, and let Phya Tringanu control him.

Phya Tringanu has heard these instructions, and will act in accordance with them with great pleasure; for heretofore Phya Tringanu provided for Sultan Mahomet, and will continue to do still, as requested. Sultan Mahomet before, until the present time, has received good advice and instruction from his mother and Phya Tringanu; but Sultan Mahomet would not listen to them, and was very stubborn. Phya Tringanu was at a loss what to do with him. If Sultan Mahomet wishes to do anything improper, Phya Tringanu will never consent to it, which Phya Tringanu trusts will meet with the approbation of his Majesty the King of Siam and of the Sumuha Phra Kalahome.

TRANSLATION of a Letter of *Chow Phya Argga, Maha Sena Dhipate Abhay Birey Parakrom Bahu Samuha Phra Kalahome*, to *Phya Bijay Bhubendr Narendr Bhaety Sri*, Sultan Mahomet, *Ratni Rajpatendr Surindr Rawinaunga Phya Tringanu*,—(dated Bangkok, 11 August 1862.)

HUANG SRI MAHA RACHA CHOW KROM APACHAM brought the letter of Phya Tringanu to Bangkok on the 29th of July last, the contents of which state, the screw steamer "Illustrious Conqueror" had conveyed Sultan Mahomet to Tringanu on the 7th July last, and that Phya Tringanu would take care of Sultan Mahomet as formerly, and that heretofore, as well as at present, Phya Tringanu and the mother of Sultan Mahomet have instructed and advised him to no purpose, he being so stubborn that Phya Tringanu could not advise him anything; but should Sultan Mahomet think of doing anything improper, Phya Tringanu will not allow him, and that it is the great desire of Phya Tringanu to find increasing favours from his Majesty the King of Siam.

The various subjects contained in Phya Tringanu's letter are fully understood. I therefore represented to his Majesty the King of Siam the suitable portions of Phya Tringanu's letter, and conducted Urang Kayan to an audience of his Majesty, who was pleased to inquire after the welfare of Phya Tringanu and of his relatives. Urang Kayan informed his Majesty that Phya Tringanu and his family and relatives were well.

His Majesty then remarked that Sultan Mahomet had gone to live in Tringanu; Phya Tringanu had provided a house for him and his mother; but Phya Tringanu was rather provoked that Sultan Mahomet was a person who would not take any advice, and Phya Tringanu would prevent his doing anything wrong, at which his Majesty was pleased.

Sultan Mahomet came and resided in Bangkok for several months; from his manners and speech he appears to be a thoughtless person, and fond of amusements, at which his Majesty was rather apprehensive, saying, that now Sultan Mahomet had gone to Tringanu, he will probably (considering himself as having been a chief) not pay due respect to Phya Tringanu and his family, and will thereby be the cause of quarrels; and also he may think that, as Pahang once belonged to Linga, and its chiefs and officers

have been accustomed to respect him, to be able to induce the inhabitants to create a disturbance, and should this be the case, Phya Tringanu, as well as the Siamese, will be scandalized; they may say that Sultan Mahomet resided in Bangkok, where he was advised and received encouragement to create a disturbance. Foreign traders who go to Pahang, and not understanding the circumstances, will be apt to think like this.

Also the boundaries of Tringanu and Pahang join; the inhabitants intermix and trade with each other; should any disturbances take place it may be the cause of their disliking each other, and thereby lessen the prosperity of both places.

Let Phya Tringanu be well guarded against this, and if Sultan Mahomet wishes to leave Tringanu to live in any other place, Phya Tringanu must first write and inform the Siamese Government.

Matters regarding Sultan Mahomet are further mentioned in a written instruction given to Urang Kayan.

Written in Siamese and in Malay.

TRANSLATION.

INSTRUCTIONS given to Urang Kayan to inform Phya Tringanu that Sultan Mahomet came to reside in Bangkok, and that his Majesty the King of Siam had compassion on him, because he had been a ruler or chief, and had descended from his position; he had to leave his country and wander about in several places until he went to live in Tringanu, from whence he begged to come to Bangkok, in order to obtain some favours from his Majesty's benevolence.

His Majesty, having compassion, provided for his living suitably to his condition of a Malay chief coming to Siam to receive some favours.

On March last Mr. Loudon, the next in rank to the Governor of Java, came here as ambassador with the royal presents from the King of Holland, in order to cement the bonds of friendship. We inquired of him why Sultan Mahomet had been divested of his authority as ruler of Linga. Mr. Loudon informed us, Sultan Mahomet was governor of Linga, and did not attend to the business of the country, but was always travelling out of his country. The Dutch Government remonstrated with him, but he would not listen. They therefore deposed him, and whenever Sultan Mahomet would consent to return to the Dutch territories, they would allow him to live in Batavia, and would provide for him as a Malay governor who had lost his authority; but Sultan Mahomet replied that he would not consent to live under the Dutch Government.

The Governor of Singapore also wrote to Sir Robert Schomburgk, consul at Bangkok, stating that Sultan Mahomet was a person who was unsteady, and wherever he went to live he was disagreeable to the neighbouring places, and when his Majesty sent him to live in Tringanu; Phya Tringanu states that Sultan Mahomet is a person who will take no advice.

This being the case, should Sultan Mahomet be discarded, he will certainly go to ruin.

His being once a chief, and now descended to the level of the common people, is very pitiable.

If Phya Tringanu perceives that Sultan Mahomet's living in Tringanu will be the cause of troubles, or of spoiling the name of Phya Tringanu, or the prosperity of his country, let Phya Tringanu send him and his family back to Bangkok.

His Majesty will arrange that he may reside in any of the inner Siamese provinces between Singora and Bangkok, if he so desires it; but he cannot be allowed to live in any of the tributary Malayan States, because in those States the succession is hereditary; when a chief or ruler dies, he is succeeded by his children or relatives; the country consequently remains quiet and prosperous. To put other persons in the government of those countries has not been customary; for these reasons Sultan Mahomet cannot be permitted to reside in those Malay States. This being the case, let Phya Tringanu consider what is proper to be done; only he must not allow any disturbances to take place.

Bangkok,

11 August 1862.

Bandaharah of Pahang to the Honourable Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements,—(dated Pahang, 19 August 1862.)

Sir,

WE beg to inform our friend regarding Wan Ahmed, who is now for certain in Tambling River, as our Sha Bunder came down from Tumarloh, and reported to us that Wan Ahmed had arrived at that place on the 18th instant. Wan Ahmed came from Doongon River with the people of Tringanu, Kamaman and Doongon; the head man, Orang Kayan, fed about three or four hundred of the Doongon people along with Wan Ahmed, by desire of the Sultan of Tringanu; and the other man, named Tunkoo Long, is a servant of the Sultan of Linga; he is amongst them in the Tambling River, which place is under our charge.

We now point out to our friend that Wan Ahmed has three times attacked our country from the territory under the charge of the Sultan of Tringanu and disturbed our subjects, and we feel little doubt that the Sultans of Tringanu and Linga have desired their people to assist Wan Ahmed. The Sultan of Linga, moreover, has come from Siam, in consequence of which our people in the interior of Pahang are very much afraid, so we have desired our brother, Inchi Wan Abdool Raman and Tunkoo Syed Onmar, to go to the interior

interior of Pahang on the 19th instant with some of our subjects to attack Wan Ahmed; we think that, perhaps, there will be little trouble; but by the blessing of God, if we conquer, and our brother, Wan Ahmed, is defeated, he must surely return back to Tringanu. We have no other to assist us, but we look to the assistance of our friend. This is the behaviour of the Sultans of Tringanu and Linga towards us.

Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, to Bandaharah of Pahang,—
(No. 348, dated Singapore, 2 September 1862.)

Sir,

WE have received our friend's letter of the 19th August, and regret to hear that Inchi Wan Ahmed has entered our friend's territories; we, however, trust that the force sent against him by our friend may prove successful, and that he may be quickly defeated and driven from his present position.

2. The Sultan of Tringanu has received instructions from Bangkok to send back the ex-Sultan of Linga in the event of his being concerned in any disturbances; and we have now written to him on the subject, and at the same time warned him of the consequences to himself likely to ensue in case of a continuance of these attacks upon our friend's country.

Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, to Sultan of Tringanu,—
(No. 349, dated Singapore, 2 September 1862.)

Sir,

WE forward herewith for our friend's perusal a copy of a letter received from his Highness the Bandaharah of Pahang, reporting the attack made upon his territories by several of our friend's subjects, headed by Inchi Wan Ahmed, and instigated by the ex-Sultan of Linga; it is clear that our friend must have connived at this attack, and that therefore he is responsible for any evil consequences that may ensue. He cannot in any way evade this responsibility, under the plea that he exercises no power over Inchi Wan Ahmed, or the ex-Sultan of Linga: the former without our friend's support would be powerless, whilst, as regards the latter, our friend has already received through Urang Kayan instructions to send him back to Bangkok in the event of his residence at Tringanu proving the cause of any troubles or disturbances; moreover, we have learnt from other sources that the force under Inchi Wan Ahmed has been supplied by our friend with 90 muskets and 40 kegs of powder; we, therefore, deem it right to warn our friend clearly of the danger he is incurring, and to inform him that, in case of a continuance of these disturbances, as we cannot allow Inchi Wan Ahmed to receive either through our friend or his people the means of giving annoyance to Pahang, we shall be compelled to order up some steamers to blockade our friend's coast, and the expense attendant upon this measure we shall require our friend to defray. Our friend is well aware that we are anxious both for his own welfare and for the prosperity of his country, and should regret much to take any steps by which either would be affected, and we therefore hope our friend will take measures to obviate the necessity of any proceedings on our part.

Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, to Her Britannic Majesty's Consul, Bangkok,—(No. 352, dated Singapore, 5 September 1862.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter, dated 26th ultimo, and am gratified to find that your representations have conducted to the issue of instructions from the Court of Siam, for the return to Bangkok of the ex-Sultan of Linga in the event of his continued residence in Tringanu leading to troubles in that quarter.

2. I deem it right to enclose, for your information, copies of a letter, dated 19th ultimo, received from the Bandaharah of Pahang, on the subject of the attack that has been made upon his territories, and of the communication which I have consequently considered it my duty to address to the Sultan of Tringanu. My remonstrance against the covert assistance which it is clear has been afforded to Inchi Wan Ahmed will, I trust, have a beneficial effect, and cause a cessation of the disturbances that have so long prevailed to the serious detriment of our commerce, and which, as far as I am able to judge, may be mainly attributed to the instigation of the ex-Sultan, and to his presence in the neighbourhood.

Colonel *H. M. Durand*, c. b., Secretary to the Government of India, Foreign Department, to the Governor of the Straits Settlements,—(No. 978, dated 23 October 1862.)

Sir,

IN reply to your Despatch, dated 18th ultimo, No. 124, reporting the attack made by Inchi Wan Ahmed on the neighbouring State of Pahang, I am directed to refer you to the letter from this department, under date the 30th August last, No. 809, and to state that, in the event of the Court of Siam failing to

take active measures on receipt of the warning therein conveyed, the Governor General in Council authorises you to address Sir R. Schomburgk, requesting him to urge on the Siamese Government the removal both of the ex-Sultan of Linga and Inchi Wan Ahmed from Tringanu, and the punishment of the Sultan of Tringanu, if he has actually given assistance in the attack on a chief in friendly relations with the British Government.

The Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department,—(No. 136, dated 8 October 1862.)

Sir,

IN continuation of the former correspondence on the subject of the present disturbances in Pahang, I have the honour to enclose, for submission to his Excellency the Governor General in Council, copies of a Despatch, dated 1st instant (with enclosure), received from Her Britannic Majesty's Consul at Bangkok, and of my reply, which latter will, I trust, be deemed in accordance with the instructions contained in your letter, No. 809, of the 30th August 1862.

2. I sincerely hope that the remonstrances of Sir Robert Schomburgk may have a beneficial effect, and that the Court at Bangkok may see the propriety of withdrawing from Tringanu a chief whose presence has evidently led to the attack upon the neighbouring State, an attack, moreover, that it appears from the correspondence between the authorities at Siam and Tringanu that the former actually anticipated.

Enclosures.

Sir Robert H. Schomburgk, Bart., Her Britannic Majesty's Consul, Bangkok, to His Honor Colonel Orfeur Cavenagh, Governor of the Straits Settlements,—(dated 1 October 1862.)

Sir,

I HAVE the honour to acknowledge your Despatch of September 22d, with its enclosure.

On its receipt I called on his Excellency the Kalahome, and after a long discussion, a *résumé* of which I enclose for your information, I succeeded in inducing his Excellency to yield the point in discussion, and promise to recall Sultan Mahomet.

MINUTE of Conversation between Her Britannic Majesty's Consul, Bangkok, and his Excellency the Kalahome, on 30th September 1862, under my Interpretation.

HER Majesty's Consul stated that he had called about Sultan Mahomet's affair; that the proceedings of the Governor of Singapore were entirely approved by the Governor General of India, and that he must insist upon Sultan Mahomet being removed.

The Governor of Singapore's letter and its enclosure having been read, his Excellency the Kalahome complained of the case having been misrepresented to the Governor General of India. The statement, that Inchi Wan Ahmet had been sent to Tringanu by the Siamese Government, was entirely untrue and unfounded. Inchi Wan Ahmet had never been in Siam (Bangkok) at all, as Her Majesty's Consul must be aware; the Siamese Government had not had anything to do with Inchi Wan Ahmet. His Excellency regretted that the Governor of Singapore, acting hastily on information entirely one-sided, should have been led to make such a misrepresentation, and felt it unjust that statements respecting the affairs of Siam and its dependencies should be taken as facts before they were endorsed by Her Majesty's Consul, whom the Siamese Government regarded as the only official representing the British Government in transactions with Siam and its dependencies. In this case he desired it to be understood that the Siamese would gladly see Sultan Mahomet removed from the Malay Peninsula. He was not a man of whose abilities or merits his Excellency had any great idea, but at present the Siamese Government saw no ground on which they could order him to leave Tringanu. The charges of the Governor of Singapore were before them, and they had written to Tringanu on the subject, but had not yet received any answer. They did not like to treat a guest as a prisoner before they had heard his own version of the affair. Their only objection to insisting on Sultan Mahomet leaving Tringanu is, that it would be an act of inhospitality to him and unpleasant interference with the Rajah of Tringanu. Sultan Mahomet came from Tringanu, where he had been living with his uncle, the Rajah, and his mother. He paid a visit to Siam, and when he desired to return whence he came, the King of Siam sent him in one of his steamers. That was all the Siamese had done in the matter; the correspondence had all been laid before

before Her Majesty's Consul, and his Excellency declared that there were no other instructions, nothing that had been kept secret; the Siamese were acting quite openly in the affair. In the letter sent on receiving a complaint from Her Majesty's Consul was a direction to the Rajah of Tringanu to send him away if he gave any trouble, and his Excellency would promise to show to Her Majesty's Consul the reply directly it arrived; and if there was the slightest ground or plea for such an act, they would forthwith send a steamer to fetch him away; and should this letter not arrive within a reasonable time, his Excellency would order the "Chow Phya" on her next passage to call in at Tringanu to convey there a Siamese officer and some one on the part of Her Majesty's Consul to investigate on the spot, and, if there was any ground, remove the Sultan Mahomet. He deprecated any compulsory measures being taken against Sultan Mahomet on an *ex parte* statement; it would be contrary to the usages of hospitality and justice. But directly there was a just case shown against him, the Siamese Government would prevent him entering any part of the Malay Peninsula under their jurisdiction.

Her Majesty's Consul replied, that "this matter was fully reported to Her Majesty's Secretary of State for Foreign Affairs," at which his Excellency expressed his satisfaction.

"At the same time," Her Majesty's Consul continued to say, "he was now acting on the responsibility of the Governor of Singapore, whose proceedings had been approved by the Governor General of India, and he could only press for the immediate removal of Sultan Mahomet." The Governor of Singapore considered Sultan Mahomet's presence in Tringanu as very objectionable, and he must press for his removal. If this was not conceded, he would go to Singapore by the next steamer to consult with the Governor.

His Excellency seemed much alarmed at this resolution of Her Majesty's Consul, and begged him not to go, urging that the Governor of Singapore had acted hastily and wrongly throughout this case, and that, as the French Admiral was coming to Siam in a few days, Her Majesty's Consul's advice might be desired by the Siamese, and other excuses.

Her Majesty's Consul replied, that his determination was fixed; unless he was at once assured that Sultan Mahomet should be sent away from Tringanu, he would go to Singapore by the next steamer.

His Excellency repeated that the Siamese were unwilling to commit an act of such inhospitality, but that if Her Majesty's Consul altered his request to a demand in writing, they would assent.

Her Majesty's Consul declined to make a direct demand in writing; the responsibility must lie with the Siamese.

After considerable discussion to this effect, his Excellency agreed that, if Her Majesty's Consul addressed a Despatch to the Prangkang, desiring that, in the same manner as, under Captain Burney's Treaty, the ex-Rajah of Kedah was removed from Penang by the British Government, the Siamese should remove Sultan Mahomet from Tringanu, the Siamese Government would agree to do so.

(signed) *H. Alabaster*,
1st Assistant Interpreter on the occasion.

Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements, to Her Britannic Majesty's Consul, Bangkok,—(No. 399, dated 8 October 1862.)

Sir,

In acknowledging the receipt of your Despatch, dated 1st instant, and with reference to the remarks made by his Excellency the Kalahome relative to the proceedings of this Government, I deem it right to place on record a brief statement of facts connected with the present state of affairs in Pahang, the accuracy of which the Court at Bangkok will not, I believe, venture to impugn.

2. In July 1861, consequent on a communication from the Resident of Rhio as to the intention of their Majesties the Kings of Siam to depute the ex-Sultan of Linga to Tringanu (a Malay State in the Peninsula forming no integral portion of the Siamese dominions, and of which the independence is mutually guaranteed by the 12th Article of the Treaty, dated 20th June 1826), I considered it my duty to point out to you the prejudicial effect that such a measure must necessarily have upon British interests, and, in reply to the remonstrance made upon the receipt of my letter, you were informed that the report that had reached me was incorrect.

3. In May last, notwithstanding the intimation thus given, that the presence of the ex-Sultan in the Peninsula would be distasteful to the British Government, and the apprehensions of the King himself, as expressed in the extract from the letter to the Sultan of Tringanu, marginally noted,* apprehensions for which there must have been good foundation,

* Sultan Mahomet came and resided for several months; from his manners and speech he appears to be a thoughtless person and fond of amusements, at which his Majesty was rather apprehensive, saying, that now Sultan Mahomet had gone to Tringanu, he will, probably considering himself as having been a chief, not pay due respect to Phya Tringanu and his family, and will thereby be the cause of quarrels; and also he may think that, as Pahang once belonged to Linga, and its chiefs and officers have been accustomed to respect him, to be able to induce the inhabitants to create a disturbance; and should this be the case, Phya Tringanu, as well as the Siamese, will be scandalized; they may say that Sultan Mahomet resided in Bangkok, where he was advised and received encouragement to create a disturbance. Foreign traders who go to Pahang, and, not understanding the circumstances, will be apt to think like this. Also the boundaries of Tringanu and Pahang join; the inhabitants intermix and trade with each other; should any disturbance take place, it may be the cause of their disliking each other, and thereby lessen the prosperity of both places.

tion, the above chief was despatched to Tringanu in a steamer belonging to the Siamese Government, and an order issued for his being provided with suitable accommodation on his arrival at his destination; *en route* the steamer proceeded to Kalantan, from which place she was joined by Inchi Wan Ahmet with eight war prahus.

4. For some days both steamer and prahus remained at anchor off Tringanu, and whilst still on board the former, the ex-Sultan openly avowed the intention of attacking Pahang, stating that the attack would be made from the Doongong River as soon as a favourable opportunity offered. This intention has been duly carried out in the manner proposed, and consequently there can be but little doubt as to the influence through which Inchi Wan Ahmet has been permitted to take advantage of the security afforded him by the supineness or connivance of the Tringanu authorities to organize within the territories of the Sultan the force with which he has recently entered the neighbouring State, and thus disturbed that peace and tranquillity which it has ever been the desire of the British Government to maintain throughout the Peninsula.

5. Upon being apprised as to the intention of the Siamese Government, I lost no time in communicating with you on the subject, clearly specifying the dangers likely to arise from the continued residence in any of the Malayan States of a restless, intriguing character, such as the ex-Sultan is described to be, and at the same time remarking upon the responsibility that must necessarily attach to that Government through whose countenance and support he had been placed in a position to mature designs prejudicial to British commerce.

6. Although, from the correspondence between the Court of Siam and the Sultan of Tringanu, of which I have been favoured with a copy, it appears that his Majesty the King of Siam was equally acquainted as myself with the probable consequences of the ex-Sultan's protracted stay at Tringanu, no active measures have hitherto been taken by the Siamese Government to avert them; my predictions have duly been fulfilled. Pahang has been attacked from the side of Tringanu, the only quarter, indeed, from which the attack could have been made with any hope of success, and the working of the tin mines, for which considerable advances had been made from Singapore, prevented, and the general prosperity of the country, which was rapidly recovering from the effects of former similar inroads, materially checked.

7. The foregoing statement requires no comment, and, in conclusion, I would merely observe that, considering the commercial relations between the Straits Settlements and Pahang, it is incumbent on the British Government to endeavour to restore to the latter country that rest and quietness so essential to the development of its resources. This in all probability can be best effected by preventing any assistance, either covert or open, from reaching Inchi Wan Ahmet from Tringanu; and should the present disturbances continue, I shall deem it my duty, acting upon instructions received from his Excellency the Governor General in Council, to adopt such measures as may appear most expedient for the protection of British interests and the maintenance of the general peace of the Peninsula.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department,—
(No. 138, dated 13 October 1862.)

Sir,

In continuation of my Despatch, No. 136, of the 8th instant, I have the honour to enclose, for submission to his Excellency the Governor General in Council, copies of a letter, dated the 30th ultimo, received from the ex-Sultan of Linga, and of my reply. From the purport of the former communication, there can, I presume, be little doubt as to the object with which the ex-Sultan has taken up his residence in Tringanu.

Enclosures.

The ex-Sultan of Linga to the Honourable the Governor of the Straits Settlements,—
(dated Tringanu, 30 September 1862.)

After compliments,

WE beg to inform our friend with these few lines regarding our living, for the present, with our father at Tringanu, by the desire of the King of Siam. Our father received a letter, dated 2d September 1862, No. 349; we perused it from beginning to the end, and we are very sorry to hear what is mentioned in our friend's letter to our father, viz., that we have desired Tunkoo Long to proceed to the interior of Pahang to assist Wan Ahmet to make an attack on the territory of Pahang. The complaints made by the Bandaharah are all false, because the Bandaharah said that our officer, Tunkoo Long, was in the interior of Pahang. Our friend can inquire of Mr. Vanderville, who came by our friend's order, with a Chinaman, to inquire into the case of the Chinese who were killed by the Kalantan people; that gentleman visited Tringanu and met us and our officer, Tunkoo Long. When Tunkoo Long came from Singapore by our order, he was not well one single day; he always was sick, and we did not give him any order at all on account of his illness. At present

we

we cannot say anything, because our friend believes the false complaints made by our former ministers, the bandaharah and tumongong. Heretofore, among all the rajahs, sultans, tumongongs, and bandaharabs, we never got such a bad name from them till now. This tumongong and bandaharah did not fear to swear false oaths and promote themselves to be rajahs. In the Malayan law, neither the Tumongong nor Bandaharah can make rajahs of themselves, because both of them are clearly our ministers and under our rule; we therefore hope that our friend will do us justice, and may not be deceived by the complaints made by these two men, and that our friend will examine all the agreements made by the bandaharah to our grandfather and to us. All these copies we have given in charge to the same gentleman, and last year we desired our officer, Tunkoo Long, to explain clearly to the Honourable Colonel Macpherson, the Resident Councillor at Singapore, all the letters with seals on them, as well as the agreements from both parties (bandaharah and tumongong). We hope that our friend and the honourable the Resident Councillor at Singapore will also consult with each other regarding what is mentioned with reference to our grandfather; moreover that our friend, the honourable the Resident Councillor, may take the matter into his consideration. We hope that our friend will point out to them the English law: are the ministers under the Rajahs, or the Rajahs under the minister's orders? By the Malayan laws the ministers are under the charge of their Rajahs, and this is the rule by which we govern. On this subject our friend can make inquiry from the different Malayan Rajahs, viz., Tringanu, Kalantan, Lookoot, Salengore, and several other countries. Perhaps, as our friend has lately come to this country, they brought these complaints in hopes that our friend will forget all the customs of the countries.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the ex-Sultan of Linga,—(No. 401, dated 13 October 1862.)

After compliments,

WE have received our friend's letter, and become acquainted with its contents. In reply, we deem it right to inform our friend that, as his claims to exercise any control over the affairs of Johore and Pahang have never been recognized by the British Government, he will not be allowed to interfere in the government of those states; and consequently it is advisable that he should return without delay to Bangkok. If, after the many friendly warnings he has received, our friend's relative, the Sultan of Tringann, neglects to take measures to prevent intrigues against the peace of a neighbouring state from being carried on within his territories, he must, of course, be prepared to suffer the consequences.

C. U. Aitchison, Esq., Under Secretary to the Government of India, Foreign Department, to the Governor of the Straits Settlements,—(No. 1071, dated 18 November 1862.)

Sir,

I AM directed by the Governor General in Council to acknowledge the receipt of your Despatches, noted on the margin,* regarding the disturbances at Pahang, and in reply, to acquaint you that your proceedings, as reported therein, are approved, and that the correspondence will be reported for the orders of Her Majesty's Government.

* No. 136, dated 8 October.
No. 138, dated 13th October.

No. 20.—Foreign Department, Political.

To the Right Honourable Sir *Charles Wood*, Bart., M. P. and G. C. B., Her Majesty's Secretary of State for India.

Sir,

Fort William, 21 February 1863.

IN continuation of our letter, dated 8th December last, No. 133, we have the honour to forward, for the information of Her Majesty's Government, copies of four further Despatches† from the Governor of the Straits Settlements regarding the disturbances in the Malayan Peninsula by Inchi Wan Ahmed and the ex-Sultan of Linga.

† Letter, dated 11 Nov. 1862, No. 150.
Letter, dated 24 Nov. 1862, No. 167.
Letter, dated 4 Dec. 1862, No. 163.
Letter, dated 26 Dec. 1862, No. 178.

2. These papers show that, up to the date of the last report, the ex-Sultan of Linga was still at Tringanu, notwithstanding the promise of the Siamese Government to remove him; and that his continued residence there only tended to disturb the tranquillity of the neighbouring States, as was anticipated. They also show that Inchi Wan Ahmed has not ceased to make hostile aggressions on Pahang, and that his movements have created considerable alarm, and completely paralyzed trade in that quarter. British commercial interests have

been seriously damaged by the suspension of all works in the Tin Mines by the Chinese labourers, whose lives and property the Bandahara of Pahang declared himself unable to protect. Besides, great distress prevailed at Pahang owing to the stoppage of the usual supply of rice from Tringanu, and it is reported that matters even went so far that armed boats from Kamaman, a district of Tringanu, had established a sort of blockade at the mouth of the Quantang river close to the miners' establishments. These facts confirm the suspicion which has all along been entertained that the Chief of Tringanu, at the instigation of the ex-Sultan of Linga, is secretly aiding Inchi Wan Ahmed in his attacks on Pahang.

3. The injury inflicted on British trade called forth a remonstrance on the part of a respectable mercantile firm at Singapore as well as the Chamber of Commerce. Accordingly, on the 29th October, Colonel Cavenagh addressed the consul at Bangkok, to the effect that if the Siamese Government did not enforce the removal of the ex-Sultan of Linga, he would order the senior naval officer to adopt the requisite measures for effectually depriving the Sultan of Tringanu of all future power of doing mischief. This threat seemed to awaken the Siamese Government to a sense of their duty, for they promised to send the steamer "Alligator" to Tringanu, as soon as possible, for the purpose of removing the ex-Sultan to Bangkok. But Colonel Cavenagh seeing that the Siamese Government took no active steps for the fulfilment of their promise, that their letters to the Sultan of Tringanu were of an evasive and temporising character, and that only a few days remained for the setting in of the northerly monsoon, during which the eastern coast of the Peninsula is inaccessible, thought it his duty to take prompt measures with a view to overawe the Sultan of Tringanu. He therefore at once despatched an expedition (which sailed on the 8th November) consisting of three vessels, the "Scout," "Coquette," and "Tonze," under the senior naval officer, Captain Corbett, with instructions at first to raise the blockade of the Quantang river; and then, if negotiations failed, to destroy the fort of Tringanu, sparing private property as much as possible. Colonel Macpherson accompanied the expedition as political officer. Colonel Cavenagh believed that this force would suffice to bring the Sultan of Tringanu to terms, but the event proved otherwise. Negotiations having failed, Captain Corbett proceeded to carry into execution the threat held out to the Sultan of bombarding his fort. The bombardment lasted intermittently from noon of the 11th November to about the same time the following day, during which every effort was made to spare private property. The expedition returned to Singapore on the 14th November, the "Coquette" having been left behind to continue the blockade up to the 17th idem, and to take advantage of any resolution on the part of the Sultan of Tringanu to get rid of his troublesome guest.

4. The Siamese Government have protested against the bombardment of the fort of Tringanu as a violation of the 12th Article of the Treaty of 1826. This protest, together with Colonel Cavenagh's letter to the consul at Bangkok justifying his proceedings, will be found in the Despatch of the 4th December herewith forwarded. As the consul at Bangkok has reported the matter to Her Majesty's Secretary of State for Foreign Affairs, we forbear passing any opinion regarding it, the more so as it is probable that Sir Robert Schomburgk will reply to Colonel Cavenagh's vindication.

5. The Siamese Government have also asserted their right to exercise authority over the States of Kalantan and Tringanu. Colonel Cavenagh has declined to recognise this claim without the orders of his Government, as there is nothing to show that Siam has ever exercised any sovereign rights either in Tringanu or Kalantan. Her Majesty's consul at Bangkok will doubtless communicate to the Siamese Government the reply of the Governor of the Straits Settlements, and there will be some counter communication from Siam and the consul. We have thought proper to await such a rejoinder before passing any orders on the subject.

*Letter, dated 7 Jan., 1863, No. 5.

6. We beg to enclose another letter from the Governor of the Straits Settlements, as noted in the margin,* which reached us a few days ago, and from which it will be seen that almost at the last moment, when all chance of landing at Tringanu was at an end, the Siamese Government despatched a vessel to withdraw the

the ex-Sultan of Linga, but the setting in of the monsoon rendered the attempt impracticable.

We have, &c.

(signed) *R. Napier.*
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department —(No. 150-1041, dated Singapore, 11 November 1862.)

Sir,

I HAVE the honour to enclose, for submission to His Excellency the Governor General in Council, a copy of the further correspondence noted in the margin,* on the subject of the continued residence of the ex-Sultan of Linga at Tringanu, and the consequent disturbed state of Pahang.

2. Having satisfied myself as to the correctness of the representation made by the Chamber of Commerce with regard to the interruption of all communication with the eastern coast of the Malay Peninsula during the northerly monsoon, and the consequent necessity for taking immediate measures to check the operations of Inchi Wan Ahmed and his advisers, and being moreover convinced from the tenor of a letter, dated 25th September 1862, from the minister at Siam to the Sultan of Tringanu, of which I obtained a translation (transcript of which is annexed), that the Court at Bangkok had no intention of fulfilling the promise made to Her Majesty's Consul with respect to the withdrawal of the ex-Sultan, and that the object in giving that promise was merely to gain time, so that the setting in of the monsoon might hereafter be pleaded as an excuse for not causing his removal, whilst, from the same cause, all endeavours on our part to restore tranquillity to the Peninsula would for some time to come be completely frustrated, and we must have remained inactive until next spring, the rivers being generally closed until the end of April; after consulting with the senior naval officer, I deemed it my duty to take advantage of the few days still remaining to raise the blockade of the Quantan River, recently established by boats from Kamaman, a district of Tringanu, and at the same time to insist upon the immediate return of the ex-Sultan of Linga to Bangkok.

3. In the event of the weather permitting communication with the shore, I entertain little doubt that the Sultan of Tringanu, finding all further evasion of no avail, will recognize the necessity for complying with my demands, and that his intriguing guest will duly embark on board the "Coquette" for Siam. Should, however, the communication be cut off, nothing further can be done for the present; but, as I believe, the Kamaman River, which has no bar at the entrance, may afford the means of despatching my letter to Tringanu, in all probability its receipt may have the effect of inducing the Sultan to refrain from affording any future countenance and support to Inchi Wan Ahmed and his adherents, as he would be well aware that on the next change of the monsoon he would be entirely at our mercy.

4. I trust that His Excellency in Council may be pleased to approve of the measures I have adopted, which have only been taken on the full conviction that the patience and forbearance hitherto displayed had not been appreciated, and consequently that active steps had become essential for the due protection of British interests.

* Letter, dated 23 October 1862, from Messrs. Paterson, Simons & Co., with Enclosures.
 Letter, No. 409, dated 29 October 1862, to Her Britannic Majesty's Consul at Bangkok.
 Letter dated 31 October 1862, from the Secretary to the Chamber of Commerce.
 Letter, No. 419, dated 3 November 1862, sent to Sultan of Tringanu.
 Letter, No. 420, dated 3 November 1862, sent to senior Naval Officer.
 Letter, No. 365, dated 3 November 1862, sent to Resident Councillor, Singapore.

Enclosures.

Messrs. *Paterson, Simons & Co.*, to Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements,—(dated Singapore, 23 October 1862).

Sir,

WE have the honour to hand you the following statements regarding attacks recently made by Inchi Wan Ahmed and others on Pahang, which are causing great distress to the inhabitants and all interested in the trade of that country:—

1st. Translation of a letter lately received by us from the Rajah of Pahang, to the effect that he will be unable to protect our people engaged in Tin operations at Quantan in his country.

2d. Deposition by Inchi Aming, nacadah of a cargo-boat, employed by us to carry supplies to the Chinese, &c., at Quantan.

3d. Translation of agreement with the Rajah of Pahang, under which we are working Tin at Quantan, and with reference to which we may remark, that we only entered upon it in the belief that the country would have tranquil.

We are aware that many Chinese and others engaged in similar operations at Pahang have lately, at great sacrifice, abandoned them, and that Chinese merchants here, who made advances to them, are also losing considerably; indeed, not only the workings for Tin and Gold at Pahang have been given up, but all agricultural operations have ceased. Trade is at a standstill, and the distress in that country is further aggravated by the Rajah of Tringanu prohibiting his people from trading with Pahang, or carrying the usual supplies of Rice for sale there under heavy penalties. We need not remind you of the importance of the Pahang trade with Singapore, but may state that there was every prospect of its being much extended; many Chinese and others having been induced to proceed there (upon the rajah again driving Wan Ahmed from that country last year) in the belief, as Wan Ahmed then declined to submit to the decision of his Honor the Governor any claims he might have against Pahang, that he had abandoned them.

It now appears that Wan Ahmed and his agents have in the interval been intriguing with the Rawahs of the interior and others to attack Pahang, and that the ex-Sultan of Linga (for whom it is known he acts) lately visited Kalantan in a Siamese war steamer and convoyed him to Tringanu, where a force was assembled, and from thence he proceeded through that country to the interior of Pahang, with all the prestige of the support of Siam, as well as active aid from the ex-Sultan of Linga, the Rajah of Tringanu, and others over whom the ex-Sultan has influence, thus causing greater alarm amongst the people of Pahang than any of Wan Ahmed's previous attacks.

It may be unnecessary to relate these circumstances to you, but we would now state our individual case. Our Chinese agent at Quantan informs us that the Chinese miners were so afraid of an attack by the Rawahs and others of Wan Ahmed's followers, that they were not working; while the proceedings of the two armed Tringanu prows (mentioned in Inchi Aming's deposition) tended to confirm reports from other sources, of the assistance Wan Ahmed was receiving from Tringanu, and that Syed Hydroose and others, with a number of other Tringanu men, were ready, at the neighbouring river of Kamaman, and only waiting to attack Quantan. These circumstances had caused him and his people great alarm. They considered their lives in jeopardy, although some of them were British subjects, and had the flag flying over their premises, and they expected that the stores, &c. in their charge would be plundered. There are about 400 Chinese working Tin at Quantan, and in order to provide for them during the north-east monsoon (now about to set in, when boats cannot cross the bar of that river), we have had to deposit there about 1,600 piculs rice, opium and other stores, as well as money. These stores cannot be withdrawn by us unless we remove the workmen at the same time, and in doing so, we should moreover lose the advances we have made them: in these alone we have a considerable amount at stake; and if the threatened plunder takes place, many lives would likely be lost even from starvation.

In submitting these statements for the information of his Honor the Governor, we have to request that he will take them into his early consideration, and we hope that he will afford us such assistance as he may deem expedient under the circumstances, and with as little delay as possible, on account of the north-east monsoon setting in, after which the bar of the Pahang river cannot be crossed.

Datu Bandahara Ton Koris, Sri Maharajah of Pahang, to Mr. *William Paterson*, Merchant, Singapore,—(dated 16th day of Rabbelakir, in the year 1279, corresponding with 10 October 1862).

After compliments,

THIS is to inform our friend that Inchi Wan Ahmed has entered and attacked our country, and that he has threatened to plunder Quantan and our friend's establishment there.

After our friend began to work at Quantan, others followed at other places, and our country was again becoming happy and prosperous; but terror and affliction have come upon all since Inchi Wan Ahmed, with an expedition from Tringanu and its districts, entered our territory.

Information has been given to our subjects of the ex-Sultan of Linga's arrival at Tringanu in a Siamese ship-of-war, with Inchi Wan Ahmed; and they fear that the King of
Siam

Siam is aiding him and other rajahs to assist Wan Ahmed, so that our people have become melancholy and comfortless. Trading boats have also been prevented coming to our country as usual.

We trust our friend will communicate with and procure aid from the Honourable the Governor of Singapore and our brother Datu Tumongong Aboobakar, Sri Maharajah of Johore.

We have nothing to add except our best wishes for our friend's success.

(L. S.) (signed) *Duta Bandahara Ton Koris*, of Pahang.

DEPOSITION of *Inchi Aming*, Nacodah of a Singapore Tong Kong.

AMING sworn: states, I am Nacodah of a Singapore Tong Kong; Mr. Paterson sent me to take goods (Rice, Opium, and 2,000 Dollars) to Quantan River; when I got there I landed all the goods at Mr. Paterson's godowns; I then loaded Tin; I stopped there more than a month, when two Kumaman prows came into the river; the two nacodahs of the prows came on board of mine; they asked me, whose boat is this? I answered Mr. Paterson's; they then looked all over my boat, and saw the Tin and my Money-box (an iron chest), after which they went on shore and looked all over the godown, and then went on board their own boats; another boat, belonging to Mr. Paterson, came into the river, when I then left. At the mouth of the river I saw about fifty people at each side of the river; they were all Tringanu people, belonging to the two prows, whose nacodahs came to my boat whilst I was lying in the river at the godowns; at the mouth of the river, close to where the boats were at anchor, there was a house on shore belonging to Panglima Mudah, a Tringanu man; all these men then went to this Panglima's house after I got clear of the river; when I got clear of the river I loaded my gun (one), and then came to Singapore.

These two Kumaman boats had been watching the mouth of the river for half a month; one of the boats had about 20 men, and the other about 15; there was also about 20 Kumaman people on shore.

At Panglima Mudah's house there were about 50 men, but he could get from Kumaman 300 or 400 in one day if he wanted them, they are all ready there; from Kumaman to Quantan there is a road, which takes a day for a person to walk: about 15 days before I left the river, there was no one living at Quantan; but when the news came that Wan Ahmed was in behind the country, and going to attack it, all these men and prows only then came from Kumaman, and said if Wan Ahmed takes Pahang we will take Quantan River. Syed Hydroose, when I was at Quantan, sent a letter to Toké Iam, the head man of the miners; he said, you look out, if Wan Ahmed takes Pahang, I will take Quantan. Toké Iam sent an answer, and said very well, take Quantan! Tringanu boats are not allowed to go to Pahang or Quantan River; if they go there and sell their rice they are fined, for a small boat \$400, and for a large boat \$1,000.

(True copy.)

(signed) *G. T. Wright*,
Justice of the Peace and Marine Magistrate.

TRANSLATION of an Agreement signed by *Datu Bandahara Ton Koris*, of Pahang, made at Pahang, on the 1st of the month Jamadil Awah, in the year of the Hejira 1278,—(date corresponding with 5 November 1862.)

WHEREAS we, *Datu Bandahara Ton Koris*, Sri Maharajah of Pahang, are desirous to give Mr. William Paterson, merchant, of Singapore, the right and title to work Tin in our territory adjoining the River Quantan, and at workings there belonging to us. We willingly grant Mr. William Paterson the Tin workings of that river, because he has done many good acts for us and our country, and has brought peace to our subjects. He has also lent us money, and enabled us to settle a bond due on account of our grandfather, brothers, as well as ourself, to Tan Kim Seng, of Singapore, for the sum of \$11,800 and interests.

Mr. William Paterson will pay us a duty of one-tenth part of the Tin procured from the different places in Quantan, whether from the hills or valleys, and this duty shall not be increased afterwards. We fix this small duty in the first place, because of the kindness of Mr. William Paterson towards us and our family; secondly, because much of the Tin in the Quantan country is found in blocks of stone.

Mr. William Paterson will pay us the above duty every six months upon all the produce of that place, whether in Tin, or Tin ore, one-tenth part, and should he wish to cease working these mines at the River Quantan, he must give us six months' previous notice.

Any machinery, &c., which Mr. William Paterson may put up in the district, as well as the people employed at the works, we promise to assist and protect from all dangers.

This our agreement confirms to Mr. William Paterson or his partners the liberty to work all the Tin Mines at the River Quantan from this time and for ever, according to the terms

stated above, and no other person will be permitted to work Tin at the River Quantan, unless Mr. William Paterson should give up working there.

In testimony of this we have placed our seal and signature hereto.

(L.S.) (signed) *Datu Bandahara Ton Koris*, of Pahang.

Colonel *Orfeur Cavenogh*, Governor of Prince of Wales Island, Singapore, and Malacca, to Her Britannic Majesty's Consul, Bangkok,—(No. 409-975, dated Singapore, 29 October 1862).

Sir,

WITH reference to my former Despatches to your address on the subject of the existing disturbances in Pahang, I have the honour to forward herewith, for your information, copy of a letter, dated 23d instant, from Messrs. Paterson, Simons & Co., a respectable firm at this station, enclosing the transcript of a communication of the 10th idem, received from the Bandaharah of Pahang, in which he alludes to the effect that has been caused amongst his people by the fact of the arrival at Tringanu of the ex-Sultan of Linga in a Siamese Government steamer.

2. From the papers at present in my possession, it is clear that the Sultan of Tringanu has either covertly afforded support to Inchi Wan Ahmed, or else been guilty of gross neglect of his duty as the ruler of a friendly country, in allowing that chief to make his territories the basis upon which his operations against Pahang have been established. In pursuing whatever of these courses he may have followed, there is every reason to believe that he has acted upon the instigation of the ex-Sultan of Linga; the fact of this belief has been duly communicated to the court at Bangkok, in the hope that by the withdrawal of the ex-Sultan from Tringanu, all cause for further suspicion or complaint might be removed; up to the present, however, your remonstrances have been allowed to remain unheeded, and no active steps have been taken for enforcing the return of the above chief to Siam; in the meantime British interests have become seriously endangered, and with a view to their protection, as I have already pointed out in the concluding paragraph of my Despatch, No. 399, dated 8th instant, unless I may be convinced by the tenor of your next Despatches that the Siamese Government, equally with that of Great Britain, is sincerely desirous of preserving the peace of the Peninsula, and that any action on my part has consequently been rendered unnecessary, I shall deem it my duty to request the senior naval officer in the Straits to adopt, with the force under his command, the requisite measures for effectually depriving the Sultan of Tringanu of all future power of disturbing the tranquillity of the neighbouring States.

A. Logan, Esq., Secretary, Chamber of Commerce, to Lieutenant *J. N. Protheroe*, Deputy Secretary to Government, Straits Settlements,—(dated Singapore, 31 October 1862).

Sir,

I HAVE the honour, by direction of the Singapore Chamber of Commerce, to request that you will bring to the notice of his Honor the Governor the injurious effects on the trade of this place produced by the disorders at present prevailing in Pahang.

It is no doubt well known to his Honor that Inchi Wan Ahmed, who for five years past has, from time to time, disturbed the peace of Pahang, has lately invaded that country from Tringanu, accompanied by a force, including a great number of the Orang Rawah, from the interior, besides being aided by persons from Tringanu, &c. His present proceedings, it has now been ascertained, are instigated by the ex-Sultan of Linga, who lately returned to Tringanu in a Siamese war steamer, and who, in virtue of his descent from Sultan Mahomed of Johore, claims to be the rightful heir to the different States formerly composing the kingdom of Johore. From his relationship to the ex-Sultan of Linga, the Rajah of Tringanu would appear to have been prevailed upon to take active measures to support his nephew's designs, for he has prohibited the exportation of rice from his territories into Pahang under severe penalties, and according to the statement of the Nacodah of a Singapore cargo-boat, which lately visited Quantan, a blockade of that river is being maintained by armed boats from Kamaman in Tringanu.

In consequence of this state of affairs, the working of the Tin Mines, both on the Pahang and Quantan Rivers and elsewhere in the Pahang territory, has been abandoned, and a great scarcity of rice prevails, the price at Pahang according to last accounts having risen to \$ 3-50 per picul. There is no prospect, while hostilities exist in the country, of supplies of rice being sent there, as it is only in the shape of tin that returns for it can be made, and the stoppage of mining operations prevents this from being available. Pahang is thus, in addition to the sufferings inflicted by the invasion of Wan Ahmed, threatened with a famine, which there seems very little prospect of being averted, as the setting in of the north-east monsoon will cut off all chance of supplies being received by sea.

A number of Chinese traders resident in Singapore have applied to the Chamber requesting their aid in bringing the present condition of Pahang to the notice of Government. These persons state that they carry on trade with Pahang, where they have upwards of thirty establishments chiefly engaged in the tin trade. Their property at stake in connexion with the mines on the Pahang River alone is upwards of \$ 40,000, and the Chamber believe that, including this and the establishments on the Quantan and elsewhere, there

there is property to the value of at least double the amount belonging to Singapore merchants in jeopardy. From Wan Ahmed's having last year murdered three Chinese traders engaged in tin mining, twenty days' journey up the Pahang River, and taken their property, amounting to about 3,000 or 4,000 dollars in value, the Chinese have all fled to the lower part of that river, and are in a state of great distress and terror.

The Chamber entertain no doubt, from the previous communications they have had with Government on this subject, that his Honor the Governor will afford every assistance in his power. Having in view, however, the rapid approach of the north-east monsoon, by which in eight or ten days all access to the rivers on the east coast of the Peninsula will be closed, the Chamber venture to urge that no time should be lost in sending a vessel of war to Tringanu. They are of opinion that the only effectual means of restoring order in Pahang will consist in the removal of the ex-Sultan of Linga and Inchi Wan Ahmed from the Malay States on the east coast, and they respectfully suggest that this measure should be carried out at once. The systematic disregard on the part of these persons, as well as the Sultan of Tringanu of the previous remonstrances of Government, prove that nothing short of very stringent measures will be of any avail; and considering the large extent of property belonging to British subjects involved, as well as the extreme importance of restoring order in a territory so close to our settlement, and the ruler of which has been led to look to us for protection, the Chamber trust that Government will not now hesitate in promptly adopting a decided course of action.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Malacca and Singapore, to the Sultan of Tringanu,—(No. 419-1007, dated Singapore, 3 November 1862).

After compliments,

FROM a communication received from Her Majesty's Consul at Bangkok, we have learnt that our friend has received orders to send back the ex-Sultan of Linga to Siam, in the event of its being considered that his continued residence in Tringanu is likely to prove the cause of further trouble; we need hardly repeat that we are aware that the ex-Sultan has been the instigator of the attack upon Pahang, the peace of that country is still disturbed, and there is little probability of its becoming tranquillized, so long as the ex-Sultan resides in the neighbourhood, or Inchi Wan Ahmed is permitted to receive assistance from our friend's subjects, or through his territories; for this state of affairs, therefore, we hold our friend responsible, and unless within twenty-four hours from the receipt of this letter the ex-Sultan embarks on board the steamer which, with the view of preventing any excuse for delaying his departure, we have despatched for his conveyance to Bangkok, and orders are duly issued for the withdrawal of all our friend's subjects, serving with the force under Inchi Wan Ahmed, and the grant of all aid to the above chief and his followers strictly prohibited, the officer in command of the naval force has received instructions, which he will at once carry into effect, to bombard our friend's fort, to seize his boats, and to establish a blockade of his coast, until further orders.

2. As intimation has reached us of British boats having been boarded and examined at the mouth of the Quantan River, by boats said to have arrived from Kamaman, and the crews of which have no authority from the Ruler of Pahang, we can only consider their interference with British subjects as an unlawful proceeding, and have consequently directed the boats to be destroyed.

3. In the event of our friend's acceding to our wishes, and moreover honestly exerting himself to cause the expulsion of Inchi Wan Ahmed from Pahang, and thus to put an end to the disturbances by which the prosperity of that country has been so long retarded, we shall be happy to renew the friendly relations that have for so many years existed between the British Government and the Government of Tringanu; if, on the contrary, our friend declines to adopt the requisite measures for putting an end to that strife, for the existence of which he is clearly responsible, much as we may regret the necessity of inflicting injury on his country, it will become our duty, in accordance with the instructions we have received from his Excellency the Governor General, to compel him to respect the rights of friendly rulers, and to prevent his country from becoming the base of operations carried on against a state under the protection of Great Britain.

4. We have now given our friend fair warning of the consequences likely to ensue in case of his neglecting to act upon our advice, which has always been tendered in a friendly spirit, and solely with the view of preserving the general peace and tranquillity; our friend must distinctly understand that this is the last letter we shall write to him on this subject; he alone therefore is responsible for any evils that may befall him from not attending to our counsel.

Lieutenant Colonel *R. Macpherson*, Secretary to Government, Straits Settlements, to the Senior Naval Officer, Straits of Malacca,—(No. 420-1008, dated Singapore, 3 November 1862).

Sir,

I HAVE the honour, by desire of his Honor the Governor, to forward herewith, for your information, copy of a letter, dated 31st ultimo, from the Secretary to the Chamber of Commerce, representing the serious injury inflicted upon British interests owing to the disturbed state of the country of Pahang.

2. The accuracy of the representation made by the Chamber has been confirmed by information received from other sources, and for some time past the necessity for the removal of the ex-Sultan of Linga, the instigator of the attack upon Pahang from the neighbourhood of that state, has formed the subject of a correspondence with the court of Bangkok. The remonstrances of Her Majesty's Representative at that court have, however, up to the present, been apparently allowed to remain unheeded; hence, with reference to the early approaching change of the monsoon and the extent of British capital at stake, it has evidently become incumbent on this Government to adopt the requisite measures for the protection of our interests by removing from the Peninsula a chief whose presence therein has led to the interruption of general peace and tranquillity, and at the same time compelling the Sultan of Tringanu with whom he is residing, and who is himself mainly responsible for the prevalent disorder, to respect the rights of other rulers, and to desist not only from all immediate interference with the affairs of a state under the avowed protection of Great Britain, but also from allowing the invader of such state from making his (the Sultan's) territories the basis of his operations, and receiving either directly or indirectly any assistance from his subjects.

3. The mouth of the Quantan River is within the territories of Pahang, and the Sultan of Tringanu has invariably denied having authorized any open act of hostility towards the Bandaharah; the blockade of that port by armed parties from Kamaman consequently cannot but be considered as illegal, and as there has been interference with British subjects, and in the event of its continuance, serious loss to British property may be anticipated, it should be at once raised by the destruction or capture of the boats engaged.

4. Under the above circumstances his Honor requests the favour of your visiting with the force under your command the eastern coast of the Peninsula, and, after raising the blockade of the Quantan river, proceeding to Tringanu for the purpose of requiring the surrender of the ex-Sultan of Linga with the view of his being conveyed back to Siam, and the immediate adoption on the part of the Sultan of Tringanu of suitable measures for necessitating the early withdrawal of Inchi Wan Ahmed from Pahang.

5. A letter, of which a transcript is enclosed, has been addressed to the Sultan, clearly prescribing the course it is desired that he should pursue, and in case of his failing to comply with the requirements therein expressed, his Honor trusts that you will take such steps as may be, in your opinion, expedient for the destruction of the fort commanding the entrance to the Tringanu River, and the seizure of all his boats, as well as for establishing a blockade of his coast.

6. His Honor will depute a political officer of rank to accompany the expedition, and communicate with the native chiefs, and is prepared to place at your disposal the steamer "Tonze," should you think her services likely to prove of use in entering the rivers.

Lieutenant *J. M. Protheroe*, Deputy Secretary to Government, Straits Settlements, to Lieutenant Colonel *R. Macpherson*, Resident Councillor, Singapore,—(No. 365-1010, dated Singapore, 3 November 1862).

Sir,

It having been deemed necessary to request the senior naval officer to proceed with the force under his command to the Pahang and Tringanu Coast, for the purpose of restoring the general peace and tranquillity at present interrupted, owing to the proceedings of Inchi Wan Ahmed, and of his instigators, the Sultan of Tringanu and ex-Sultan of Linga, it has been considered advisable, with reference to your knowledge of the language and manners of the native chiefs, that you should accompany the expedition.

2. Captain Corbett has been requested to proceed, in the first instance, to the Quantan River, for the purpose of raising the blockade that has recently been illegally established by armed boats supposed to have arrived from the Kamaman. These boats having been either captured or destroyed, he will continue his route to Tringanu, and should the weather be sufficiently favourable to admit of your landing, it is the desire of his Honor the Governor, that you should deliver the accompanying letters to the Sultan of Tringanu and ex-Sultan of Linga in person, taking the opportunity of pointing out to the former his many obligations to the British Government, and the serious nature of the risk he will incur in the event of his failing to satisfy its equitable demands by taking active measures, not only for ensuring the withdrawal of all countenance and support from Inchi Wan Ahmed, but also for compelling his retrogression from Pahang, and his departure from the neighbourhood of that state. There need be no hesitation in urging this course upon the Sultan, for it is clear that had he honestly discharged his duty as the ruler of a friendly State, the peace of Pahang would have remained undisturbed, and he must consequently be held responsible for the present unsatisfactory state of affairs, and for any evil consequences that may ensue therefrom; to the ex-Sultan you should distinctly intimate the refusal of the British Government to recognise his claims to exercise any authority over the Malayan States, or to reside within the Peninsula; at the same time you will inform him, that in requiring his presence on board one of the steamers, it is not intended that he should be placed under any restraint, but that he will be treated with kindness and courtesy, and duly conveyed to Bangkok. Should the prevalence of the monsoon prevent your having any personal communication with the above chiefs, you should avail yourself of the best possible means for forwarding his Honor's Despatches, accompanied by letters from yourself, to the purport above specified, to their destination. In either case, after you have satisfied yourself

yourself that 24 hours may have elapsed from the receipt of these documents, and that there is no intention of complying with the requirements therein made, you will place the settlement of the matter in the hands of the senior naval officer.

3. Should it appear on your arrival at Tringanu that the ex-Sultan has left Tringanu for Kalantan, you are authorised to request Captain Corbett to proceed to the latter place, and with this object, a letter to the Rajah forms one of the enclosures to this communication.

4. In conclusion, I am directed to express his Honor's hope, that whilst firmly impressing upon the native chiefs the determination of the British Government not to allow its wishes to be set at naught, and the peace of the Peninsula to be wantonly disturbed, you will intimate its desire to maintain the friendly relations that have so long existed with the Malayan States, and to avoid having recourse to force, in order to compel compliance with its just requisitions; that in fact, through your tact and judgment, all necessity for hostilities may be obviated, and the demand now made may be amicably conceded.

Chow Phya Argga Maha Sena Dhipate Aphaij Beriy Para Krom Bahu Samuha Phra Kalahome, to Phya Bijay Bhahendr Naundr Bhacty Sri Sultan Mahomed Ratne Raj Patendr Surmdr Rawuangsah Phya Tringanu,—(dated Bangkok, 25 September 1862).

SIR ROBERT SCHOMBURGK, the English Consul at Bangkok, sent a copy of the letter of the Bandaharah of Pahang addressed to his Honor the Governor of Singapore, and a copy of the letter of his Honor to the Rajah of Tringanu, for our perusal.

The letter of the Bandaharah of Pahang, to his Honor the Governor of Singapore, is as follows:—

“We beg to inform our friend regarding Wan Ahmed, who is now, for certain, in Tambling River, as our Sha Bundar came down from Tumarloh and reported to us, that Wan Ahmed had arrived at that place on the 18th instant. Wan Ahmed came from Doongoon River with the people of Tringanu, Kamaman and Doongoon; the head man, named Orang Kayan, fed about 300 or 400 of the Doongoon people along with Wan Ahmed by desire of the Sultan of Tringanu, and the other man, named Toonku Long, is a servant of the Sultan of Linga, he is amongst them in the Tambling River, which place is under our charge.

“We now point out to our friend, that Wan Ahmed has three times attacked our country from the territory under charge of the Sultan of Tringanu, and disturbed our subjects, and we feel little doubt that the Sultans of Tringanu and Linga have desired their people to assist Wan Ahmed; the Sultan of Linga moreover has come from Siam, in consequence of which our people in the interior of Pahang are very much afraid; so we have desired our brother, Inchi Wan Abdulaman and Tunku Syed Omar to go to the interior of Pahang on the 19th instant, with some of our subjects, to attack Wan Ahmed. We think that perhaps there will be little trouble, but by the blessing of God, if we conquer, and our brother Wan Ahmed is defeated, he must surely return back to Tringanu; we therefore have no other to assist us, but we look to the assistance of our friend.

“This is the behaviour of the Sultans of Tringanu and Linga towards us.”

The contents of the above quoted letter, and of the letter of his Honor the Governor of Singapore are understood by us.

It is our opinion the Bandahara of Pahang is a timid person and easily frightened, and whenever any slight occurrences take place, he immediately complains to his Honor the Governor of Singapore; but his Honor, being a person of judgment and wisdom, does not readily believe every report, and being desirous to prevent any disturbance amongst the neighbouring countries, sent a letter of remonstrance to Phya Tringanu.

Pahang and Tringanu are close to each other, and their inhabitants have intercourse with each other. Any wars or disturbances happening in Pahang, their influence will affect Tringanu. So, let Phya Tringanu be guarded, and make such arrangements that the affairs of his country may be peacefully preserved. Whatever is not consistent to make a disturbance about, do not allow any to take place.

Tringanu has belonged to the ancestors of Phya Tringanu for several generations; the country has always been in quietness, and there have been no complications or causes of anxiety; the inhabitants have been happy, and have found an easy livelihood. This being the case, the Bandahara of Pahang is anxious to find a cause of complaint. So let Phya Tringanu be on his guard. Also, Sultan Mahomed is a nephew of Phya Tringanu it is true, but he was born in another country, and does not belong to the family of the Rajahs of Tringanu born in the country.

If Phya Tringanu perceives the Sultan of Linga's residence in Tringanu is the cause of uneasiness to the neighbouring countries, and be the cause of complicating the inhabitants, let Phya Tringanu so arrange that Sultan Mahomed and his family may come to Bangkok, or to some other country where he will be beyond giving uneasiness. It is left to Phya Tringanu to do whatever he thinks best, but Phya Tringanu must first write and give information to Bangkok, and also send information to his Honor the Governor of Singapore, so that the present uneasiness may cease.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore and Malacca, to the Secretary to the Government of India, Foreign Department, —(No. 157-1093, dated Singapore, 24 November 1862.)

Sir,

IN continuation of my Despatch, No. 150, dated the 11th instant, I have the honour to enclose, for submission to his Excellency the Governor General in Council, copies of the letters noted in the margin,* relative to the recent proceedings on the Malayan coast.

2. Although it is to be regretted that the negotiations for the removal of the ex-Sultan of Linga from Tringanu and his return to Bangkok proved unsuccessful, and that it therefore became the duty of the senior naval officer to carry out the threat contained in my letter, No. 419, dated 3d instant, to the Sultan, yet I have little doubt that the measure will have a beneficial effect throughout the Peninsula, more especially amongst those states in any way subject to the influence of the court at Bangkok, who have for some time past, indeed ever since the visit of the Siamese squadron last year, evinced a growing spirit of disrespect towards the British Government, and disregard of its remonstrances in cases where injury has been sustained by its subjects.

3. In accordance with the instructions furnished to the senior naval officer, in the present instance, the punishment inflicted has fallen almost entirely upon the Sultan himself, who has thus been made fully aware both of our power and of our moderation; in the event of the Siamese Government fulfilling their long standing promise of removing the ex-Sultan of Linga, I still entertain hopes that the chief of Tringanu may recognise the propriety of abstaining from all further countenance of the attack upon Pahang, and that, deprived of external aid, Inchi Wan Ahmed may be compelled to retreat, and peace and tranquillity be restored.

4. The accompanying translation of a letter addressed by the Minister of Siam to the Sultan of Tringanu, as well as the communication, dated 8th instant, to Sir Robert Schomburgk, will, I believe, convince his Excellency in Council of the accuracy of the surmise expressed in my last despatch, and that the Siamese Court have throughout acted with insincerity and bad faith; the recent operations may perhaps tend to hasten the fulfilment of their engagement, though, up to the 17th instant, when the commander of the "Coquette" left Tringanu with the last letter from the Sultan to my address, there were no signs to be seen of the steamer "Alligator." Captain Corbett is of opinion, that by anchoring in the lee of Capps Island, about 10 miles from Tringanu, and awaiting moderate weather, a steamer, after some little delay, would be always sure, even during the prevalence of the northerly monsoon, of being able to communicate with the coast, so that the plea, which it was evidently the intention of the Government of Bangkok to advance as a cause for the non-removal of the ex-Sultan according to promise, can now prove of no avail.

Colonel *R. Macpherson*, Esq., Resident Councillor at Singapore, to the Deputy Secretary to Government, Straits Settlements, —(No. 154-1071, dated 17 November 1862.)

Sir,

IN accordance with the instructions of his Honor the Governor, conveyed in your letter, No. 365, of date the 3d instant, I have the honour to report that I embarked on board Her Majesty's ship "Scout," Captain Corbett, senior naval officer, at 3 P.M., on Thursday the 6th instant, and that soon after, with Her Majesty's ship "Coquette" in company, and having the Straits steam gun boat "Tonze" in tow, we sailed for Tringanu.

On the morning of Saturday the 8th instant, off Pahang, a pilot was procured. We did not however communicate with the shore, but proceeded direct to Quantan, with a view to carrying out the first portion of his Honor the Governor's instructions to the senior naval officer,

* Letter, No. 154, dated 17th instant (with Enclosures), from the Resident Councillor, Singapore.
 Letter, dated 14th instant (with Enclosure), from Senior Naval Officer.
 Letter, dated 8th instant (with Enclosures), from Her Britannic Majesty's Consul at Bangkok.
 Letter, No. 451, dated 17th instant, to Her Britannic Majesty's Consul at Bangkok.
 Letter, dated 17th instant, from the Sultan of Tringanu.
 Letter, No. 456, dated 22d instant, to the Sultan of Tringanu.

officer, namely, to raise the blockade of that river reported to be established by the Tringanu Government.

At 3 p.m. two armed boats were sent to the river in tow of the "Tonze," when it was ascertained that the Tringanu boats had left Quantan about 20 days before for Kamaman, and that while there they had done no injury to any boat under the British flag.

At 8 p.m. the same evening (8th instant), we again weighed anchor and proceeded on our voyage, finally arriving at Tringanu soon after 5 p.m. on Sunday the 9th.

The gun boat "Tonze" steamed over the bar at dead low water, a heavy swell running, without experiencing much difficulty, and the commander, Mr. Fox, delivered a letter (marked A. Appendix) to the Sultan, intimating that I was the bearer of two letters of importance from his Honor the Governor of the Straits Settlements, one to himself, the Sultan of Tringanu, the other to the ex-Sultan of Linga, and soliciting an early audience.

Next morning, Monday the 10th instant, at 6 a.m., the "Tonze" returned with a reply from the Sultan of Tringanu (B. Appendix), expressing his satisfaction at the prospect of a personal interview, and appointing 9 a.m. the hour of meeting.

I resolved to insist at the coming interview upon three concessions :

1st. The removal of the ex-Sultan of Linga to Siam in the manner arranged by his Honor the Governor of the Straits.

2d. The assurance of the Sultan that he would neither directly nor indirectly afford any further countenance to Inchi Wan Ahmed in his proceedings against Pahang ; and that he would issue a written proclamation to his subjects, that any one of them convicted of aiding Wan Ahmed with provisions, arms or ammunition would be severely punished.

3d. That the Sultan would remove the embargo upon the export of rice from Tringanu to Pahang.

At 9 a.m. accordingly, accompanied by Captain Corbett, senior naval officer, and several officers of the "Scout," and Captain Alexander of the "Coquette," we were received at the hall of audience with all honours.

After a few words of introduction and compliment, I delivered his Honor the Governor's letter to the Sultan, mentioning at the same time that it being a letter of importance, his Highness might wish to read it in private with his ministers, and afterwards, if he desired it, we might talk the subjects over in the presence of a few officers selected by him from his datu datus, and by me from the gentlemen who had accompanied me.

While the Sultan retired to read his letter, we were shown into a smaller and more comfortable hall, raised considerably above the crowd, who must have numbered two to three thousand, and who conducted themselves in a remarkably quiet and orderly manner.

About ten o'clock the Sultan joined us, and we proceeded at once to business.

The Sultan wished to begin a long vindication of himself, and the ex-Sultan of Linga of any participation with Wan Ahmed in his proceedings against Pahang. I declined to enter into the discussion, stating that there were facts sufficient to satisfy his Honor the Governor of Singapore that Wan Ahmed was encouraged by the Sultan and his nephew the ex-Sultan ; that the most prominent of these were the permission accorded by the ruler of Tringanu to Wan Ahmed to make his country the basis of hostile operations against Pahang, and the written claims of the ex-Sultan of Linga to the sovereignty of Pahang and Johore.

He justified the first by declaring his inability to prevent Wan Ahmed passing through his country to operate upon the interior of Pahang, and the latter by protesting his ignorance of the letter addressed by the ex-Sultan to the Governor of Singapore.

Having at length got the Sultan to the first object of my mission, namely, the removal of the ex-Sultan of Linga from Tringanu, he argued that this could not be done without the permission of the Siamese Government, and that the ex-Sultan was, under any circumstances, too unwell to travel. I told him the Siamese Government had promised our consul at Bangkok that the ex-Sultan should be removed, that the season when to do this was practicable was fast passing away, and that to relieve his Highness of the responsibility of retaining so dangerous a man at his court for the four following months, and also to relieve the peaceable state of Pahang from the evil influence of his intrigues, our Government had anticipated the slow movements of the Court of Siam, and sent a steamer in which the ex-Sultan of Linga would be treated with every courtesy and kindness befitting his position as a native gentleman of distinction. His Highness then pleaded his fear of the consequences, should he act in the matter without the authority of the Court of Siam, that though he valued highly the friendship and alliance of the British Government, still it was his first duty to obey the orders of the Government of Siam, to which he had for so many generations been subordinate. I reminded him how much at variance this argument was with the statement made by him at Singapore on the occasion of his last visit there, when he complained of the threatened aggressions of the Siamese Government, requested our interference, and protested his independence of Siam, save in the matter of a triennial ceremony when he sent presents, receiving others more valuable in return. It were needless to trouble his Honor with a detail of the discussion that ensued, occupying upwards of an hour, and ending in his Highness soliciting two days' indulgence, and permission to send the ex-Sultan of Linga by boat to Singara, and thence by elephants to Bangkok. This I told him that my instructions prohibited my acceding to, but that I was glad to hear his guest was able to stand the fatigues of so long and arduous a journey, as no danger could possibly attend his removal to the English war steamer, where he would have careful

medical attendance. The Sultan, finally silenced, proposed to go and consult with the ex-Sultan of Linga's mother.

After the lapse of about two hours (about 1 p.m.), during which we were served with tea, coffee, fruits, &c., &c., I received a letter from the Sultan (C. Appendix) in which he repeated his verbal arguments, and declined to despatch the ex-Sultan to Bangkok until he had received instructions from that Government to do so. I told the bearer (his son-in-law) that I must see the Sultan for a few minutes in person, to receive this decision from his own lips, and to take my formal leave. I also took the opportunity of impressing strongly upon the *datu datus* present the folly and madness of the Sultan's decision, and their duty to themselves, their families, and country, to induce him to concede to my first proposition, and thus avert the calamities that would otherwise assuredly result; they said that they had no desire to retain the ex-Sultan of Linga, but that the Sultan, their master, must obey the orders of the Government of Siam.

A man named Vanderville, an expatriated Dutchman, waited upon me about this time. He introduced himself as the medical attendant of the ex-Sultan of Linga, who he assured me was dangerously ill, unable to move, and begged me to visit him, and satisfy myself of the truth of the statement. Accompanied by Dr. Wade of Her Majesty's ship "Scout," I accordingly went, and found the ex-Sultan to be a strong, able-bodied young man, apparently in excellent general health, and suffering only from the consequences of his own indiscretion. He received us rudely, and treated us throughout the interview in the same manner. He turned a deaf ear to all arguments, said he did not care what misery his obstinate selfishness would bring upon his friends; he would not acknowledge our right of interference, nor would he remove until required to do so by the Court of Siam. Soon after my return to the hall of audience, the Sultan of Tringanu sent some of his *datus* to ask me to visit him alone and unattended in his palace; there we both spoke freely, he adhering to his argument of being subsidiary to the Government of Siam, and also urging that public opinion was opposed to his sending away his relative as it were a prisoner. At the same time he said that he would gladly be rid of the ex-Sultan, nor did he deny that his presence at Tringanu exercised an evil influence over Pahang. To remove his first objection, I urged that the British Government would hold him harmless with the Government of Siam for anything done by him at our instigation; that if he would permit me and not take it as an act of personal hostility, a party should be landed from the man-of-war to take the ex-Sultan of Linga by force, in which case he might reasonably advance to the Government of Siam that he had acted under coercion, and was helpless. To remove any semblance of his relative being made a prisoner, I offered, in the event of his consenting to leave peaceably, to give time to enable him to fit up a state-boat for the accommodation of the ex-Sultan, which would be towed up by Her Majesty's ship "Coquette" to Bangkok; all arguments and offers were however of no avail, and I took my leave. I have, subsequently, a verbal message from his Highness, begging me to defer my departure until he had another interview with the ex-Sultan of Linga and his friends; to this I agreed, but after some little time, learning from one of the *datus* that the Sultan had gone into the country in a sedan chair to consult with a certain *cazee*, it being moreover 4 p.m., the tide falling, and the surf on the bar increasing, Captain Corbett considered that it would not be safe to delay our embarkation longer. I therefore addressed a letter (D. Appendix) to the Sultan, and our party left, declining, much to the chagrin of the *datus*, the presents of cattle, fowls and fruit that were awaiting us on the beach. Next morning, Tuesday the 11th, a verbal message was sent to me by the Sultan to the effect that he desired another audience. I declined seeing the messenger. Later in the morning, I received a letter (E. Appendix) which appeared to me to be written solely with a view to gain time; to this I replied (F. Appendix) that I regretted his letter contained no intimation of his having conceded the demand to send away the ex-Sultan of Linga; that so soon as that was done, I would gladly again meet him with a view to discussing and adjusting the other points at issue. I reminded him that the period for negotiation was fast passing away, and entreated him not to sacrifice himself for the sake of a man notorious for his intriguing and bad disposition.

About the same time the senior naval officer sent by the "Tonze" a formal notification to the Sultan, to be delivered at noon by Mr. Fox, to the effect that negotiations having now ceased, the matter had been placed in his hands, and begging that all women and children might be removed beyond the range of the ships' guns. The "Tonze" returned at noon without the ex-Sultan, or any letter from the Sultan, and about half-past one three shots were fired from the Armstrong gun of the "Coquette" from a distance of more than 1,000 yards, to show to the people of Tringanu how completely they were in our power; of these shots, two fell on the sandy beach, and one went over the fort.

About the same time a letter from the Sultan of Tringanu was brought off to the "Scout" (G. Appendix), stating that the ex-Sultan had refused to listen to him or to his people, and that to remove him by force would be attended with bloodshed, as he had about 30 followers; that I had not authorised his proceeding to such extremes, and therefore he desired my final orders. I replied (H. Appendix), that the Sultan was ruler in his own country, and it was not for me to order his mode of proceeding, but that as a friend I advised him to send off the ex-Sultan by any means, using force if necessary.

The "Scout" and "Coquette" soon after weighed and took up positions nearer shore, but suspended action in the hope that, consequent upon my last letter, the Sultan of Tringanu might still yield. At half-past four a boat with a flag of truce came off, conveying, however, only a verbal message from a *datu*, "Tuanku Seyd," stating that the Sultan had gone away into the country with his family, and no one could say when he would return.

I told

I told the messenger to urge upon "Tuanku Seyd" with the other nobles that, in their Sultan's absence, they should act for themselves, and send away the cause of all their troubles. We allowed them 10 minutes after the return of the boat to the shore to lower their ensign as a token that my advice would be adopted, but the flag not being lowered, soon after five o'clock, the "Scout" and "Coquette" opened fire, and bombarded till sunset. A few shells were also thrown into the fort from the "Scout" about midnight.

Next morning, Wednesday the 12th, Tringanu presented the appearance of a city of the dead, no flag was floating from the flag-staff, and every living thing appeared to have abandoned the place; at 11 a.m. the "Coquette" again opened fire upon the fort, and Captain Alexander having received instructions from the senior naval officer to remain upon the coast, blockading the Fort of Tringanu till the 17th instant, and to throw from time to time a shot or shell into the place, and to be at all times ready to receive the ex-Sultan of Linga on board and convey him to Bangkok; the "Scout" took her departure with the "Tonze" in tow.

It is satisfactory to know that, so far as could be judged from the ship, no private property was injured by the bombardment; the fort and Sultan's Palace being the only buildings apparently damaged.

At 11 a.m., Thursday the 13th, we anchored off Pahang, when I sent in a letter by the "Tonze" to the Rajah Kechil (I. Appendix), asking him to come on board. The Rajah Kechil being, however, some distance inland, the next senior officer came off in the "Tonze."

He told me a dismal tale of the state of Pahang between war and famine, the former causing the death of eight to 10 men daily, the latter of 18 to 20 people, chiefly women and children. Wan Ahmed had advanced within 20 miles of Pahang, but that the Bandahara's forces were concentrated and held him in check. The flags used by Wan Ahmed in his stockades and in the field were the Siamese, Tringanu and Linga Flags. He had sold many of their women and children into slavery, and had sent some 3,000 head of cattle to Ulloo Moar, Sri Mananti, Johole, and Rambow to be disposed of. Wan Ahmed was said to have a dépôt, three days' journey up the Doomoon River, where provisions and stores were supplied from Tringanu; but that notwithstanding this his people were suffering from starvation; several boats were at Pahang loading cattle for Singapore. I wrote to the Bandahara a letter (J. Appendix), telling him of our expedition to Tringanu; its object and results so far as can yet be judged, and urging him to take heart, as our negotiations with Siam and Tringanu would doubtless end in Inchi Wan Ahmed being left to his own resources, when he would fall an easy prey to the forces of Pahang.

It were difficult to speak as yet of the result of the operations above detailed. That they have been unsuccessful in inducing the Sultan of Tringanu amicably to dismiss the ex-Sultan of Linga is not altogether to be regretted, inasmuch as it has afforded us an opportunity of showing our power, our determination, and at the same time our moderation. I think it by no means improbable that the Tringanu people, tired of the presence of the "Coquette," and wearied by her occasional fire into their town, and the shutting up of their port, may coerce their ruler, and insist upon the dismissal of the ex-Sultan of Linga. It is also probable that Despatches having been sent off on the 10th instant overland from Tringanu to Bangkok, the Siamese Government may be roused from their dilatoriness and insincerity, and may at once despatch a steamer for the removal of the ex-Sultan, in which case I am very sure the Sultan of Tringanu will soon seek for a restoration of friendly relations, a concession which should not, however, in my opinion, be granted to him, until he has paid to our Government the whole of the cost of the present expedition.

In conclusion, I earnestly hope that my own proceedings, as also those of the naval officer in command of the expedition, to whom I am much indebted for his cordial co-operation, as well as courtesy and kindness, may meet with his Honor the Governor's approval.

P.S.—I return herewith two letters entrusted to me, but which there are no opportunity or occasion to deliver, one to the Rajah of Kalantan, and the other to Her Majesty's consul at Bangkok.

(signed) *R. Macpherson*, Resident Councillor.

Appendix to Letter, No. 154, dated 17 November, from Resident Councillor, Singapore, to the Deputy Secretary to Government, Straits Settlements.

(A.)

Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, to the Sultan of Tringanu,—(dated 9 November 1862.)

After Compliments,

WE now beg to inform our friend that we have arrived at our friend's territory with letters of importance for our friend, which we desire to deliver in person, and also a letter for the ex-Sultan of Linga, we shall therefore thank our friend to appoint as early an hour as possible to grant us an audience at our friend's palace.

We wish our friend health and prosperity.

(B.)

The Sultan of Tringanu to Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements,—(dated 18 Jumedilawal 1279, or 10 November 1862.)

After Compliments,

WE inform our friend that we have received our friend's letter and duly understand its contents; we hear with much pleasure of our friend's arrival in our country, and that we shall be able to have a conference personally with our friend. To this end we are prepared to give an audience to our friend, if our friend will leave at 9 a.m. to-morrow. Our best compliments to our friend.

Received at 6 a.m.

(C.)

The Sultan of Tringanu to Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements,—(dated 18 Jemalawal 1279, or 18 November 1862.)

After Compliments,

WE beg to acquaint our friend with regard to our son the ex-King of Linga, that the King of Siam has placed him under our care with instructions that he shall be sent back to Siam in case he commits any unlawful act; but ever since he came, we have never found our son guilty of any evil design that would lead to disturbance and bring us into trouble, and now the British Government wish to have our son sent back to Siam; we have great desire to accede to the counsel of our friend, but what power have we to do so, because, as our friend is well aware, from generation to generation we have been under the power and control of the Government of Siam. We therefore beg our friend to send us a written order from the Siamese Rajah that will convey authority for the removal of our said son (the ex-Sultan) to the Court of Siam. Upon receipt of such authority we will send him off as quick as possible, and if not practicable to send him by sea, we will do so overland, so that our friend need not take the trouble of providing a steamer for that purpose. We now trust that our friend will wait until we obtain our instructions from the Rajah of Siam. Our best compliments to our friend.

Received about 1 o'clock.

(D.)

Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, to the Sultan of Tringanu.

After Compliments,

WE have perused our friend's letter and fully understand the contents; we have also had our interview with our friend, and heard all that he has proposed relative to sending the ex-Sultan of Linga by one of our friend's boats to Singora, and thence by elephants to Bangkok. We regret that it is not in our power to comply with our friend's suggestion, because our orders are clear and conclusive, and are the same as the Governor of Singapore has conveyed to our friend in the letter which we delivered to our friend this morning. It therefore remains for us now only to take our leave, trusting that my friend and the Datu Datus may seriously consider the matter and weigh in their minds, whether it is better to comply with the wishes of our Government, or break the friendly relations that have so long existed between us, and bring unhappiness and distress upon himself and his subjects. If our friend should determine to comply and send a letter to that effect off to the man-of-war before noon to-morrow, all will be well, and the small steamer will be sent in at once for the Sultan of Linga; should it be otherwise, and if no letter come off from our friend by noon to-morrow, we shall be compelled with sorrow to carry out our orders to destroy, in the meantime, our friend's fort, and blockade his coast. After the monsoon further measures will be adopted to secure the State of Pahang, and our friend will be held responsible for any disasters that may meantime happen to that State through the intrigues of the ex-Sultan of Linga, and the agency of Inchi Wan Ahmed.

(E.)

The Sultan of Tringanu to Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements,—(dated 19 Jumedilawal 1279, or 11 November 1862.)

After Compliments,

WITH respect to our friend's wishes expressed in our friend's letter, we request that our friend will again come and meet us, because there is a course which we wish to propose personally to our friend, being desirous to agree to our friend's requisitions, and at the same time clear ourselves from any blame in the eyes of our friend; we desire therefore that our friend will give us an interview. Our compliments to our friend.

Received 9½ a.m.

Lieutenant

(F.)

Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, to the Sultan of Tringanu,—(dated 10 November 1862.)

After Compliments,

WE have received our friend's letter, and fully comprehend the contents; we regret extremely that the said letter does not communicate to us that our friend has decided upon acceding to the requirement of the English Government relative to the ex-Sultan of Linga; until this is conceded, further negotiations would be of no avail; when we have learnt from our friend that he is prepared to send the ex-Sultan of Linga to Bangkok in the steamer provided by our Government for that purpose, we shall then have much pleasure in meeting our friend to adjust the other matters, and the friendship between the two Governments will continue unbroken. We again remind our friend that at noon this day we cease to negotiate, and the Senior Naval Officer will proceed to carry out the orders to bombard our friend's fort and blockade his coast. We earnestly hope that our friend will avert so great a calamity by being wise in time, and sending away from his protection a man notorious for his intriguing and bad disposition, and the fomentor of the disturbances in a neighbouring friendly State.

(G.)

The Sultan of Tringanu to the Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements,—(dated 19 Jumedilawal 1279, or 11 November 1862.)

After Compliments,

WE have to acknowledge the receipt of two letters, one from our friend and the other from the commander of the ship-of-war, and we fully understand their contents, and now we would state plainly as regards the ex-Sultan of Linga that we have tried, as have also our countrymen, to our utmost to persuade him, but he still refuses to comply with our wishes; suppose now we use force to take him, our fear is that it will be attended with loss, (*i.e.*, bloodshed), and then our friend will blame us, because this was done without the advice of our friend; as in our opinion if we make use of force to take him, it is certain there will be loss (bloodshed), as he (the ex-Sultan) has about 30 followers. We hope that our friend will immediately give us instructions that we may act as our friend may order us.

(H.)

Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, to the Sultan of Tringanu.

After Compliments,

WE have received our friend's letter and fully understand it; our friend is ruler of his own country and supreme, and therefore we cannot venture to order our friend's proceedings; but we would once more earnestly advise our friend to send off, without delay, the ex-Sultan of Linga by force, if that is necessary, to our steamer, for our friend's own sake and that of his peaceable subjects.

This matter is now out of our hands, therefore any boats which our friend may send off hereafter must fly a white flag, otherwise they may be fired at.

(I.)

Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, to the Rajah Kechil, Pahang,—(dated 13 November 1862.)

After Compliments,

WE are very desirous to see our friend to have a talk with him regarding Pahang and Tringanu affairs. We would ourselves land and visit our friend, but are desirous to return to Singapore as quickly as possible. If therefore our friend will come off to our vessel as soon as possible after the receipt of this our letter, and have a conference with us, we shall thank our friend.

(J.)

Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, to the Bandaharah of Pahang,—(dated 13 November 1862.)

After Compliments,

We have called at our friend's port on our way back to Singapore from Tringanu, and our desire is to inform our friend that the object of our visit to the Sultan of Tringanu was to induce him to send away, by one of our steamers placed at his disposal for that purpose, the ex-Sultan of Linga to Siam, and also to exact a promise from him that neither he nor his subjects would afford any aid to Inchi Wan Ahmed in his attack upon the territory of Pahang, and also that he would remove the restriction upon the export of rice from Trin-

ganu to Pahang. The Ruler of Tringanu not acceding to these propositions of ours, under orders from the Singapore Government, we bombarded his town for two days, and left a vessel of ours there to fire into his town and seize his boats. The English Government will now take measures with the Court of Siam to stop, effectually, all further aid from Tringanu or Siam to Inchi Wan Ahmed, therefore let our friend take heart, and seeing that he will have soon Inchi Wan Ahmed only to contend with, our friend's forces will doubtless soon be able to overcome him, and thus restore peace to his country.

REPORTING PROCEEDINGS at TRINGANU.

Captain *John Corbett*, Senior Officer in the Straits of Malacca, to the Governor of Singapore,—(No. 96, dated "Scout," at Singapore, 14 November 1862.)

Sir,

HAVING this day returned from Tringanu, I have the honour to acquaint you that, on the 11th instant (at noon), Colonel Macpherson informed me that negotiations had failed to induce the Sultan of Tringanu to send the ex-Sultan of Linga on board; and as more than the specified 24 hours had elapsed since your notice had been delivered to him, I proceeded to carry out the coercive measures pointed out in your letter to me of the 3d instant.

Observing that in your letter to the Sultan of Tringanu, you stated that, should he not comply with the demands of the English Government, the senior naval officer had orders to bombard his fort and town, and also to blockade his fort, I deemed it of importance that this threat should be carried out to the letter, but at the same time to inflict as little damage as possible on private property.

The bombardment that ensued was consequently of a very mild nature, and only sufficient to show the Sultan how very easy it was for us to inflict punishment, and also that threats were not an empty form when made on the part of the English Government.

At about 1.30 p. m. of the 11th, I caused three shots to be fired from the "Coquette's" Armstrong Gun, at a range of something over 4,000 yards, to show that even at that distance their town and fort were not out of our reach; both ships then moved closer into the bar, and anchored in a more convenient position for further proceedings.

A boat carrying a white flag coming out of the river delayed proceedings until past 5 p. m., when the boat having returned to the shore, and no signs of any favourable result ensuing, it being evident that they only wanted to cause us to lose the daylight, "Scout" and "Coquette" opened a slow and deliberate fire on the fort; but from the long range, over 2,000 yards, added to the excessive rolling motion caused by the swell off the bar, it was impossible to confine the fire to the fort itself, about 30 shots were fired, and we ceased firing at sunset.

At 11 p. m. I ordered three more shots to be fired to prove that darkness was no protection, but took no further hostile measures during the remainder of the night.

About 11 a. m. the next day, 12th, the "Coquette" having again closed the bar, six or seven more shots were fired at the fort; but the rolling caused by the bar swell rendered precision impossible, and one shell burst apparently in the Sultan's palace, which is at the foot of the hill on which the little fort is built.

Conceiving that your threat had been by this time sufficiently carried into effect, I ordered no more shots should be fired, unless from the smoothness of the sea, correct practice at the fort itself might become practicable.

The "Scout" with "Tonze" in tow left for Pahang at 2 p. m., and I left the "Coquette" with orders to allow nothing either to enter or come out of the river (except a flag of truce) until the 17th instant, when she was to return to Singapore.

I trust that you will approve of my not having taken more decisive measures for the destruction of the fort, but as I did not consider it possible to effect that object without either the expenditure of a great quantity of ammunition at long range, and consequent damage to private property in the neighbourhood of the fort, or landing a force, neither Colonel Macpherson nor myself considered that the orders justified such a proceeding.

I beg to enclose a copy of a communication that I addressed to the Sultan on the morning of the 11th, in which I gave him fair notice of our intentions, should our demands not be complied with by noon of that day; I at the same time endeavoured to show that, although determined to carry our threats into execution, we were yet loath to inflict that damage on the town of Tringanu that our superior force made such an easy matter to us.

I beg to add that, in my opinion, the whole object of the Sultan during our visit to him, and also in his subsequent messages, was solely for the purpose of gaining time, it being well known that at this season of the year it becomes hazardous for vessels to lay off the bar of Tringanu, and in the event of bad weather coming on the bar itself becomes impassable.

With respect to your orders to destroy certain boats at Quantan river, I sent a party to visit the English storehouses at the mouth of that river, and was informed that two boats had been there about three weeks previously; they had only stayed four days at Quantan, had done no damage to English property, although they had searched one or two boats. The crews of the strangers only amounted to 14 men in all.

Colonel Macpherson will doubtless acquaint you with all further details, and I have only to add that I received every assistance from the commander of the "Tonze," his vessel always being ready to perform any duty that might be required of it.

Captain

Captain *John Corbett*, Senior Naval Officer in the Straits of Malacca, to the Sultan of Tringanu,—(dated 11 November 1862.)

Sir,

THE Senior Naval Officer regrets that negotiations having failed, this matter should now be placed in his hands by the Resident Councillor of Singapore, but such being the case, he has nothing to do but carry into effect the orders that he has received from the Government.

Should the small steamer arrive without the ex-Sultan of Linga, or an intimation that he is following immediately, the English men-of-war will move closer in, and commence hostilities against the town and fort of Tringanu.

It is to be hoped that immediate measures may be taken, on the receipt of this, to remove the women and children out of reach of the ships' guns, as the fire will commence immediately the ships have taken up suitable positions.

Should at any time a boat be observed coming out, and carrying a white flag, the fire of the ships will cease, until the purport of the message is known.

No other boat or vessel will be permitted to enter or leave the port of Tringanu, for which purpose one of the men-of-war will remain off the port; the other, with the small steamer, will return to Singapore either to-night or to-morrow morning.

The small steamer has positive orders to leave Tringanu at noon this day, and the senior naval officer earnestly hopes that the painful duty of inflicting injury on the pretty and peaceful looking town of Tringanu may not be forced upon him; should it be so, however, he can only act in accordance with the instructions he has received from Singapore.

Sir *Robert H. Schomburgk*, British Consulate at Bangkok, to Colonel *Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 8 November 1862.)

Sir,

I HAVE the honour to enclose herewith, for your information, the copy of a letter which I received to-day from his Excellency *Chow Phraya Phraklang*, Minister for Foreign Affairs, from which you will observe that the Siamese Government have agreed to send their steamer, the "Alligator," to Tringanu for the purpose of bringing Sultan Mahomed to Bangkok.

From the contents of this letter you will observe that some delay may be connected with despatching the "Alligator," but the necessity of Sultan Mahomed's removal having been recognised by the Siamese Government, the object in view has been obtained, and if they fail in their promise, their Government will have to bear the consequence.

Copies of every document connected with the correspondence on Sultan Mahomed's affair shall be forwarded from this consulate by the next opportunity to Her Majesty's Principal Secretary of State for Foreign Affairs.

Sir *Robert H. Schomburgk*, British Consulate at Bangkok, to his Excellency *Chow Phraya Phraklang*, Minister for Foreign Affairs,—(dated 6 November 1862.)

I HAVE again to forward to your Excellency a correspondence received from the Governor of Singapore, in reference to the attacks made on the territories belonging to the Bandaharah of Pahang, by persons proceeding from the province of Tringanu.

You will perceive by the Despatch of his Honor the Governor of Singapore, that he is prepared to take immediate proceedings against the Rajah of Tringanu unless the ex-Sultan of Linga is at once removed from Tringanu.

I have therefore now to inform your Excellency that, in order that the Governor should not be compelled to proceed as above stated, it is necessary that I shall be able to inform him by the next mail, that the necessary steps have been taken by the Siamese authorities, not only to remove the ex-Sultan of Linga, but also to prevent further attacks on Pahang proceeding from the province of Tringanu.

Chow Phraya Phraklang, Minister for Foreign Affairs, to Sir *Robert H. Schomburgk*, Her Britannic Majesty's Consul at Bangkok,—(dated 8 November 1862.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, enclosing copies of correspondence from his Honor the Governor of Singapore, relating to Sultan Mahomed.

Your letter and its enclosures I presented to his Majesty the King of Siam, who was pleased to command me to inform you, that on the 29th ultimo a letter was written to you stating that we were willing to send a vessel to Tringanu for Sultan Mahomed, but we feared the two following consequences:—

1st. That if Sultan Mahomed became aware that we wished to bring him here, he might not consent to come, but would flee to Wan Ahmed within his territories of Pahang; the inhabitants of Pahang would therefore think that the Siamese Govern-

ment had sent to advise and empower Sultan Mahomed to enter the territories of Pahang, and as there would have been no witnesses to what might have happened, we therefore requested that one of the consular officers should accompany the vessel to Tringanu.

2d. The Siamese Government have written several times to the Rajah of Tringanu relating to Sultan Mahomed, but the Rajah has not yet informed us of his opinion on the matter. With regard to Sultan Mahomed, we have heard only one side of the matter, through the letters of the Bandaharah of Pahang to the Governor of Singapore; we having had no positive proofs of what had taken place, and its being the north-east monsoon, vessels cannot anchor off Tringanu, were the reasons why we waited.

Now as the Governor of Singapore warmly insists upon our sending a vessel to Tringanu to take away Sultan Mahomed, the Siamese Government must consent to do so, in order to preserve the bonds of friendship, and to convince the Governor of Singapore that the Siamese are in no way favourable to any causes of disturbance. We shall therefore send the steamer "Alligator," S. J. B. Ames, Esq., commander, with Phra Nurah Josha, a Siamese officer, to go and bring Sultan Mahomed here.

The "Alligator" is a vessel of war; but she is never kept in readiness, and it is only when she is required that the officers, crew and engineers are provided for her.

We have now to get officers and engineers, which will occupy some days, after which she will start; but whether she can anchor off Tringanu or not we cannot say, because the north-east monsoon has now set in strong, so whatever may happen hereafter we beg you may take it in the most favourable light.

(L. S.)

Colonel *Orfeur Cavenagh*, Governor, Straits Settlements, to Her Britannic Majesty's Consul at Bangkok,—(No. 451-1074, dated Singapore, 17 November 1862.)

Sir,

In acknowledging the receipt of your Despatch of the 8th instant, I have the honour to enclose for your information copies of the communications noted in the margin,* on the subject of the still existing disturbed state of affairs in the Malay Peninsula.

2. The court of Bangkok having, as far back as the 30th September 1862, promised to recall the ex-Sultan of Linga from Tringanu, I could not possibly have supposed that up to the beginning of this month no steps whatever had been taken towards carrying that promise into effect, and that only on the receipt of my Despatch, No. 409 of the 29th ultimo, would measures be adopted for putting into commission a steamer for the purpose of fulfilling an important engagement of such long standing—an engagement, moreover, the fulfilment of which must, as acknowledged by the Minister of Foreign Affairs, naturally depend upon the strength of the monsoon, the setting in of which has for some time past been daily expected. Hence, after allowing full time for the despatch of a steamer to Tringanu, subsequent to your receiving my communication above quoted, upon the earnest representations of the Chamber of Commerce as to the urgent necessity for protecting British interests, I determined upon deputing the resident councillor to Tringanu to demand the surrender of the ex-Sultan, with the view of his returning to Bangkok in Her Majesty's steamer "Coquette," which had been placed at my disposal with that object. Although Lieutenant Colonel Macpherson clearly pointed out to the Sultan of Tringanu the consequences that must ensue in the event of his non-compliance with the demand, which was moreover strictly in accordance with the avowed intention of the Siamese Government, and at the same time explained that the ex-Sultan would be treated with all kindness and courtesy, his remonstrances proved of no avail, and it consequently became the duty of the senior naval officer to carry out the threat of bombarding the fort and town, and blockading the coast in such a manner as to fully evince our power of compelling obedience to our just requisitions, whilst inflicting but trifling loss upon the unoffending inhabitants. This duty, owing to the humane and judicious course pursued by Captain Corbett, has been successfully accomplished, and I should regret extremely to be forced to sanction operations of a more stringent character.

3. Under the above circumstances I earnestly trust that the Siamese Government will fully retrieve its error in allowing your remonstrances to remain so long unheeded, and will use its utmost exertions to restore peace and tranquillity to the Peninsula, so that all further interference on the part of the British Government may be rendered unnecessary.

4. In conclusion I would beg to observe, that although communication with Tringanu may be often interrupted for days during the prevalence of the north-east monsoon, yet there is every reason to believe that vessels may safely anchor under Capps Island, and there await a favourable opportunity for communicating with the coast.

* From Secretary to Government, Foreign Department, No. 978, dated 23 October 1862.
 From Secretary Chamber of Commerce, Singapore, dated 31 October 1862.
 To the Sultan of Tringanu, No. 419, dated 3d instant.
 From Senior Naval Officer, No. 96, dated 14th instant.
 From Commodore commanding Indian Division, dated 17 November 1862.
 To Commodore commanding Indian Division, dated 17 November 1862, No. 460.

The Sultan of *Tringanu* to Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, Singapore,—(dated 17 November 1862).

After Compliments,

WE beg to acknowledge the receipt of our friend's letter, and understand all its contents; we have now to communicate to our friend that we shall be glad to follow our friend's wishes, we therefore beg our friend to give us a decided reply to this letter. If we take the Sultan of Linga by force, probably the Sultan of Linga will resist; and should the Sultan of Linga die, it will be a great responsibility upon us, because the Sultan of Linga has 40 armed followers; so we send this letter to our friend and beg him to acquaint us distinctly what we are to do, and what are our friend's wishes at present. Before we received an answer from our friend, our friend fired on our town; our families and all the subjects within our country felt much afraid, and ran away in every direction to save their lives; moreover, with regard to the Sultan of Linga, we do not know where he went, and to the present time we have not heard of him, because at that time there was great confusion and disturbance; our friend well knows when a person is much in fear, and we also withdrew from our palace with 30 attendants. Long ago we were aware that we have not the power to resist the British Government, and we have no intention to oppose the British Government.

Lieutenant Colonel *R. Macpherson*, Secretary to Governor, Straits Settlements, to the Sultan of *Tringanu*,—(No. 456-1086, dated Singapore, 22 November 1862.)

After Compliments,

WE have received our friend's letter of the 17th instant, and understood its contents; in reply we have been requested by his Honor the Governor to point out to our friend that as he is the ruler of his country, he alone is responsible for the removal of the ex-Sultan of Linga from his territories; our friend received due warning as to the result of his refusing to act upon the advice given to him; and as he failed to take advantage of the offer to receive charge of the ex-Sultan, and convey him with all due courtesy and kindness to Bangkok, he alone is to be blamed for any evils that have ensued. Out of pity to our friend's subjects, and with the view of sparing their town, the fire of the shipping, by order of the senior naval officer, was, as far as possible, directed solely on the fort, but from its effects our friend must be well aware of the risk to which, by his want of sincerity and good faith, he exposes his country, and the great moderation with which the power of the British Government has hitherto been exercised. As the Siamese Government has promised to despatch a steamer to *Tringanu* with orders for the immediate return of the ex-Sultan to Bangkok, it is to be hoped that our friend will withdraw all support from *Inchi Wan Ahmed*, and cease from all future interference with the affairs of *Pahang*; if so, the British Government may perhaps again be induced to extend its friendship to our friend; but in the event of his persisting in following the course he has hitherto pursued, he must be prepared to abide by the consequences. The British Government desires peace and tranquillity throughout the Peninsula, and it will cause its wishes to be respected.

Chow Phya Argga Maha Sena Dhi Pati Aphay Biriya Para Krom Bahu Samuha Phra,
Kalahome, to *Phaya Bijay Bhupendr Narendr Bhacty Sri Sultan Mahomed Ratne Raj*
Patindr Surindr Rawiwangeah Phya, *Tringanu*.

SIR ROBERT SCHOMBURGH has written to *Chow Phya Rawiwang Maha Rosa Dhi Bodi*, the Minister for Foreign Affairs, stating that ex-Sultan Mahomed, whom the Dutch expelled, came and lived in Bangkok five or six months, after which his Majesty sent him to *Tringanu* in a steamer; that on his arrival at *Tringanu* he joined *Wan Ahmed* to create a disturbance in *Pahang*; that at the present time disturbances have actually taken place in *Pahang*; the people of *Pahang* borrowed money from those of Singapore to work the tin mines. It is feared that in the event of a disturbance in *Pahang*, the people of Singapore will be sufferers, Siam and England being on friendly terms. When the Rajah of *Quedah* rebelled against Siam and fled to *Penang*, a British territory, the English consented to send away the Rajah of *Quedah* from *Penang*. At the present time the English request that Sultan Mahomed be sent away from *Tringanu*, the same as the English did in the case of the said Rajah of *Quedah*. The Consul having stated as above, *Chow Phya Rawiwang Maha Rosa Dhi Bodi* communicated the same to his Majesty the King of Siam. His Majesty was pleased to say when Sultan Mahomed was about to leave Bangkok; the Rajah of *Tringanu* wrote to *Chow Phya Songkla*, saying that Sultan Mahomed's mother was anxious to see Sultan Mahomed, and requested that he would return to *Tringanu*. His Majesty seeing that *Phya Tringanu* was the uncle of Sultan Mahomed, and his mother and many of his people were in *Tringanu*, therefore sent him there, and sent instructions to *Phya Tringanu* to take care of him, and to provide for him and his people comfortably. *Phya Tringanu* wrote in reply that he had taken care of Sultan Mahomed, and would prevent him from doing anything improper. Now Sultan Mahomed's residence in *Tringanu* is the cause of uneasiness, and of doubt and suspicion to Colonel Cavenagh, the Governor of Singapore, who says that Sultan Mahomed has joined and instigated *Wan Ahmed* to create fresh disturbances in *Pahang*, and will be the means of the Singapore traders suffer-

ing losses. Sir Robert Schomburgk has therefore written to request that Sultan Mahomed be sent away from the territories of Tringanu, so that there may be an end to all doubts. The English and Siamese cherish friendly feelings towards each other. When the neighbouring British Government are displeased with Sultan Mahomed, we must endeavour to prevent any change in our friendly relations. Sultan Mahomed was never a Siamese subject, but went to reside in Tringanu, when this matter in connexion with him and Pahang arose. Pahang is not a British territory, and matters thus happening through the misfortune of Sultan Mahomed, which made the Governor of Singapore think that he has been the cause of Wan Ahmed's disturbances.

Let Phya Tringanu insist upon Sultan Mahomed's leaving Tringanu; he can go wherever he pleases, or if he has no place to go to, and wishes to come to Bangkok, let Phya Tringanu inform me without delay, so that I shall send a vessel for him and his family; or if Phya Tringanu wishes to detain him in the meantime in Tringanu for any reasons, he must write and inform the Governor of Singapore of the same, so as that there may be no cause for doubt.

Should we send a steamer, at present we do not know how Phya Tringanu and his relatives have decided upon doing, and we do not know anything relating to affairs in Pahang, and therefore fear that the Bandahara and the people of Pahang will suspect that the Siamese have sent a man-of-war to assist Sultan Mahomed and Wan Ahmed to make disturbances, and will find some new matter to communicate again to the Governor of Singapore; we therefore have delayed sending a steamer; besides, at this season the north-east monsoon blows strong, the mouth of Tringanu River is closed, and there is no shelter for vessels to anchor. I therefore send a copy of this letter *viâ* Singapore, and another by Singora, both being of the same tenor.

Written in Siamese and in Malay. Bangkok.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department,—(No. 163-1152, dated Singapore, 4 December 1862.)

Sir,

IN continuation of my former Despatches relative to the disturbances in Pahang, I have the honour to enclose, for submission to his Excellency the Governor General in Council, translations and transcript of communications, dated 18th, 20th and 28th ultimo, received respectively from the Bandaharah of Pahang, Sultan of Tringanu, and Her Majesty's Consul at Bangkok, as well as copies of my replies thereto.

2. The last accounts from Pahang lead me to believe that the proceedings taken at Tringanu have not been without a beneficial effect, it being reported that Inchi Wan Ahmed has retreated for a distance of about ten miles from his former position, and that his supply of ammunition is failing.

Enclosures.

Datu Bandaharah of Pahang, to the Honourable the Governor of Prince of Wales Island, Singapore, and Malacca,—(dated 18 November 1862.)

After Compliments,

WE beg to acknowledge the receipt of a letter from the Honourable Colonel R. Macpherson, resident councillor, Singapore, to us, when he returned from Tringanu and anchored in our harbour, and he states in his letter that he brought orders with three man-of-war steamers to proceed to Tringanu to take the ex-Sultan of Linga back to Siam in the steamers; moreover, he intended to insist upon the ex-Sultan of Linga and his followers not giving any assistance to Inchi Wan Ahmed in attacking Pahang, and not preventing any people who may take rice for sale from Tringanu to Pahang; but the Sultan of Tringanu did not agree to our friend's wishes, so the honourable the resident councillor of Singapore has fired into his port. We return many thanks for the assistance rendered by our friend; furthermore, we complain to our friend regarding the starvation of our subjects in our country; the Sultan of Tringanu prevents his subjects from taking rice to Pahang for sale, and they are afraid to carry cargoes of rice to Pahang; on account of the long starvation of our subjects they are obliged to eat jungle fruits and leaves, and many of them have been attacked with bowel complaint; already about 200 people, young and old, have died; this is our complaint. At the time we write this letter we are in the interior of Pahang, fighting with Inchi Wan Ahmed; we trust that our friend will render us more assistance.

The Sultan of *Tringanu* to the Honourable the Governor of the Straits Settlements,—(dated Tringanu, 20 November 1862.)

After Compliments,

I BEG to inform my friend regarding the letter from my friend brought by the honourable resident councillor; I received it and understood its contents; in it my friend expresses a desire that the ex-Sultan of Linga should be sent to Bangkok in the man-of-war. When I received my friend's order, I obeyed it as far as I was able, and told the ex-Sultan of Linga to go away in her; he, however, was unwilling to go to Bangkok in that steamer. Then the resident councillor went himself to see the ex-Sultan of Linga, and told him that he should go to Bangkok in the steamer. He did not wish to go, and the resident councillor again demanded him from me. I again went and advised him (the ex-Sultan) to go, but he refused, and I then sent a letter to the resident councillor on board of the steamer to say that the ex-Sultan of Linga would not go by fair means; if I used violence there would be a quarrel between me and my son; of course he would resist, and should he die there would rest a great responsibility upon me; therefore I am much afraid, because the Sultan of Linga has 40 armed followers with him. I considered it right to get a decided answer from the honourable the resident councillor on board of the man-of-war, in order that I might not be blamed for not meeting the wishes of my friend; before, however, I received an answer from the honourable the resident councillor, he fired on my country; all my subjects in the country ran away to save their lives in every direction, as also did my family; moreover, at that time the Sultan of Linga also ran away, I know not where, and I also withdrew from my palace, with 20 or 30 people only with me. My friend well knows when a person is much in fear. Long ago I was aware that I have not the power to resist the British Government, and I have no intention of opposing the British Government; at present I have nothing to say, but only offer my best respects to my friend.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Bandaharah of Pahang,—(No. 461-1100, dated Singapore, 25 November 1862.)

After Compliments,

WE have received our friend's letter, and regret to hear of the distress that has been occasioned to his people, owing to the prohibition on the part of the Sultan of Tringanu to his subjects against the exportation of rice into our friend's country; we trust, however, that this prohibition will be now withdrawn, and that our friend, aided by his loyal followers, will be enabled to expel Inchi Wan Ahmed from his territories, and restore to his country that peace and tranquillity so essential to its future prosperity.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Sultan of Tringanu,—(No. 466-1111, dated Singapore, 28 November 1862.)

After Compliments,

WE have received our friend's letter of the 20th instant, and understood its contents. Our friend is well aware that it has ever been the desire of the British Government to remain on terms of amity and friendship with all the neighbouring chiefs, to advance the prosperity of their respective countries, and to maintain peace and tranquillity throughout the Peninsula.

2. Our friend was duly warned that, as the ruler of his country, he must be held responsible for any attack that might be organized within its limits upon the neighbouring friendly State of Pahang; our friend, however, notwithstanding this warning, which was often repeated, not only allowed a force under Inchi Wan Ahmed to enter one of his rivers, and there, in security, make arrangements for an incursion into Pahang, but by his own act in prohibiting the export of rice into that country, he materially increased the difficulties its ruler, the Bandaharah, had to contend with, by adding to the horrors of war those of starvation.

3. Had our friend acted with honesty and good faith, and prohibited Inchi Wan Ahmed from entering his country, the misery and distress to which the inhabitants of Pahang have lately been subjected would have been prevented, whilst the friendly relations which have hitherto existed between the British Government and our friend would never have been disturbed. He has not only brought evil upon Pahang, but upon his own country, and he must himself feel that for any misfortunes that may have befallen him, he alone is to blame.

4. As regards the ex-Sultan of Linga, we need hardly remind our friend that he was duly informed that, in consequence of the representations made by this Government, the King of Siam had consented to his being removed to Bangkok; that Colonel Macpherson offered, in the event of its being our friend's wish, to cause the necessary arrangements to be made for his removal; and that our friend would not agree to the measure. Moreover, that before our friend's last letter had been despatched to the colonel, our friend had left the town and proceeded into the country, from which it was quite clear that our friend had no intention whatever of complying with our just demands, and merely wrote the letter in order to gain time, in the hopes that the sea might become too rough to admit of the instructions issued to the senior naval officer being carried into effect.

5. Our friend must be ready to acknowledge that those instructions were carried out with the greatest moderation; the fire of the shipping having been, as far as practicable, confined to the fort; and we trust that he will now be convinced, that although the British Government in the maintenance of the general peace and tranquillity will always enforce respect to its wishes, it is ever with regret that it finds itself compelled to exert its power to the detriment of its weaker neighbours.

Sir Robert H. Schomburgk, Her Britannic Majesty's Consul, Bangkok, to his Honor Colonel Orfeur Cavenagh, Governor of the Straits Settlements, Singapore,—(dated Bangkok, 28 November 1862.)

Sir,

I BEG leave to acknowledge the receipt of your Despatch of the 17th instant, No. 451, in which you inform me of the measures you have seen yourself obliged to adopt, with regard to the Rajah of Tringanu, by insisting that the ex-Sultan of Linga should be removed to Bangkok.

The Siamese Government had determined to despatch one of the few war steamers they have at their command, for the purpose of bringing the ex-Sultan of Linga to Bangkok; but the "Alligator" could only leave on the 17th of November, the same day on which the attack upon the town was made by the British force.

I have communicated to the Siamese Government copies of the Despatches which I have received from you respecting this matter, and while endorsing a copy of the letter which the prime minister has sent to me, I beg to observe that copies of the whole correspondence on the subject of the ex-Sultan of Linga, as far as known to this consulate, leave by the present mail for the information of Her Majesty's Principal Secretary of State for Foreign Affairs.

C. Phya Sri Sury Wongs to Sir Robert H. Schomburgk,—(dated Bangkok, 25 November 1862.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 24th instant, handing the copies of the following letters for the information of the Siamese Government, viz. :—

From the Secretary to Government, Foreign Department.
 From the Secretary of the Chamber of Commerce.
 To the Sultan of Tringanu.
 From the Senior Naval Officer.
 From the Commodore, commanding Indian Division.
 To the same.

The contents of all these have been perused and understood. Regarding the affairs of Sultan Mahomed, the ex-Sultan of Linga, in connexion with Tringanu, you have several times written to his Excellency Chow Phya Praklang, Minister for Foreign Affairs in Bangkok, and answers have been sent explaining matters on each occasion.

The Siamese Government have not been negligent, but have each time sent instructions to the Rajah of Tringanu, copies of which have always been handed you.

On the 6th instant you wrote, stating that we must send a vessel to bring back Sultan Mahomed, and on the 8th instant an answer was sent, stating that we would send the steamer "Alligator" for Sultan Mahomed, but that that steamer was not in readiness to start at once, and would require some days to put her in a state to proceed. All this was fully explained in that letter.

The "Alligator" left Bangkok on the 17th instant, and now we are informed that his Honor the Governor of Singapore had sent vessels of war to Tringanu for the person of Sultan Mahomed, and on not securing him, bombarded that place on the 11th instant, before your letter, with the reply of the Siamese Government, had time to reach Singapore; such being the case is a matter of grief to us, as the Siamese Government have been of opinion that Her Britannic Majesty was pleased to appoint you as Consul in Siam, so that in the event of any matters arising, we would be enabled to consult with you, and so arrange such matters throughout the Siamese territories with justice.

The fact that Tringanu has been bombarded by the authority of his Honor the Governor of Singapore, and the hasty manner in which it has been done, we consider as disregarding and setting aside the authority and position of Her Britannic Majesty's Consul in Siam, also a violation of the 12th Article of Captain Burney's treaty, and thereby is a cause of alarm to a nation of little power that never thought of offering resistance.

I am now therefore at a loss what to say further on the subject, until the return of the steamer "Alligator" with Sultan Mahomed, and I shall have inquired into the matter, and made acquainted with the nature of the Rajah of Tringanu's letter, when I shall be better enabled to communicate with you on the subject, and shall request you to kindly forward further particulars of these events to the Right Honourable the Earl Russell, Her Majesty's Minister for Foreign Affairs in London.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to Her Britannic Majesty's Consul at Bangkok,—(No. 480-1150, dated 4 December 1862.)

Sir,

IN acknowledging the receipt of your Despatch, dated 28th ultimo, with enclosure, I deem it right to submit for your consideration the following observations:—

1st. The States of Tringanu and Kalantan form no part of the territories of the kingdom of Siam. All correspondence between the British Government and their rulers has invariably been conducted direct through the Governor of the Straits Settlements, and in the present instance, a reference was made through you, as the proper channel, to the Court at Bangkok, solely in consequence of the immediate necessity for remonstrating with the Chief of Tringanu, having arisen in a great measure from an act of that court, in having despatched to the above country, although well aware of the probable result, an intriguing restless ex-Chief (with whose character they were intimately acquainted), whose arrival, consequent on the influence acquired from his having made his advent under the auspices of the Siamese Government, had led to the serious disturbance of that general peace and tranquillity which it has ever been the sincere desire of the British Government to maintain.

2d. Although by the 12th Article of the Treaty of 1826, Great Britain is clearly precluded from making any attack, with aggressive views, upon either Tringanu or Kalantan, it has never been deemed a bar to our demanding redress for wrongs inflicted on our subjects, or adopting measures to compel the Chiefs to respect the rights of the neighbouring rulers; moreover, the Court of Siam is equally with Great Britain inhibited from any interference with the above States; but in this case, by the stoppage of the rice trade with Pahang, the whole course of commerce has been materially affected, owing to the intrigues of the ex-Sultan of Linga, whose presence in the Peninsula, as well as the power he has hitherto exercised, is to be attributed solely to the apparent countenance and support of the Siamese Government.

3d. The action of this Government as regards Tringanu has been by no means hasty. In 1858, consequent on the part taken by the Sultan of Tringanu with regard to the disturbances in Pahang, my predecessor was obliged to personally visit the Malay coast, and to warn the Sultan of the serious nature of the consequences likely to ensue in the event of his interfering in the affairs of the neighbouring State. A similar course, and from the same cause, was forced upon me in 1861, and would again have been pursued in the present year had I not trusted in the good faith of the Siamese Government, and fully believed that, upon being made acquainted with the state of affairs in the Peninsula, no delay would be allowed in retrieving the error that had been committed, and withdrawing the ex-Sultan of Linga from the scene of his intrigues. I need not refer you to the dates of my numerous letters on this subject. Suffice it to say that, in consequence of your earnest representation on the 30th September, a distinct promise was made for the withdrawal of the ex-Sultan, whilst it was not until the 8th of November that you received a letter to the effect that a steamer would be prepared for the purpose of carrying out that promise; it being, however, at the same time specially mentioned that the northerly monsoon having set in, it was quite possible that communication with Tringanu might be barred, and her voyage therefore prove utterly fruitless.

4th. After allowing full time for the despatch of a vessel from Bangkok, and knowing, equally with the Court at Bangkok, that during the northerly monsoon, the surf over the bars at the mouths of the rivers in the Peninsula often, for weeks together, runs too high to admit of any communication with the shore, it became my duty, as I had previously clearly intimated, to take the necessary measures for protecting British interests, and preserving the peace of the Peninsula. The best means for effecting this purpose was evidently the removal of the known instigator of the existing disturbances; had this been permitted by the Sultan of Tringanu, he would have been duly conveyed to Bangkok with all proper consideration and respect; and as this course would have been in strict accordance with the avowed wishes of the Kings of Siam, it must have met with their Majesties' approbation. That it was not pursued is not to be ascribed to any fault on the part of the British authorities, but to the refusal of the Sultan of Tringanu to accede to our just demand. It was, therefore, evident that he identified himself with the policy of the ex-Sultan, and in conformity with the orders received, it became necessary for the senior naval officer to neutralise, as far as practicable, all intentions of affording assistance to the invaders of Pahang by bombarding his fort, thus destroying any magazines or store-rooms therein contained, and effectually depriving him of all power of furnishing further supplies of arms and ammunition; of this intended bombardment due notice was given, with the hope of inducing the inhabitants of the town to leave the neighbourhood, and thus preventing their suffering from the misdeeds of their Chiefs, upon whom alone it was the desire of this Government that any punishment should be inflicted.

2. In conclusion, I have the honour to enclose for your information copies of letters, dated respectively 18th and 20th ultimo, from the Bandaharah of Pahang and Sultan of Tringanu, and of my replies thereto.

The Governor of the Straits Settlements to the Secretary to the Government of India, Foreign Department,—(No. 178-1232, dated Singapore, 26 December 1862.)

Sir,

IN continuation of my former correspondence on the subject of the state of affairs along the east coast of the Malay Peninsula, I have the honour to forward herewith, for submission to his Excellency the Governor General of India in Council, copies of a letter, dated 18th instant (with enclosures), from Her Majesty's Consul at Bangkok, and of my reply thereto.

2. As far as I can judge from my office records, it does not appear that we have ever recognized the claim of Siam to exercise any sovereign rights over Tringanu or Kalantan. All correspondence with the Chiefs of those States has always been carried on direct, and when the Sultan of Tringanu visited Singapore last year, he assured me that he merely sent an Embassy to Bangkok every 2½ years; that the cost of the presents might be estimated at about 3,500 dollars, and that return presents to the same value were always received.

3. Although no official report has been received on the subject, I have been informed that on the 19th ultimo, after communication with the coast of the Peninsula had been in all probability closed, a steamer was despatched from Bangkok, with the ostensible intention of bringing back the ex-Sultan of Linga. Up to the 18th instant, however, no tidings had been received regarding her, and as it was said that she was not fit to contend against the monsoon, fears were entertained for her safety; it is, however, possible that she may have obtained shelter in one of the northern ports, where the force of the monsoon is not so much felt.

Enclosures.

Sir *Robert H. Schomburgh*, Her Britannic Majesty's Consul at Bangkok, to his Honor Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements,—(dated 18 December 1862.)

Sir,

I HAVE the honour to acknowledge your communication of the 4th instant, and to enclose to you, in copy, a Despatch from the Kalahome relative to the same, and a Report from the Rajah of Tringanu to the Kalahome on the recent bombardment of that town.

The Prime Minister of Siam to Sir *Robert H. Schomburgh*, Her Britannic Majesty's Consul at Bangkok,—(dated 18 December 1862.)

Sir,

YOUR Despatch of the 17th instant and the following enclosures, viz. :—

Copy of letter from the Governor of Singapore to Her Britannic Majesty's Consul.

Copy of letter from the Bandahara of Pahang to the Governor of Singapore.

Copy of letter from the Governor of Singapore to the Bandahara.

Copy of letter from the Rajah of Tringanu to the Governor of Singapore.

Copy of letter from the Governor of Singapore to the Rajah of Tringanu—in all, five copies, have been understood.

I beg to contradict the clause in the Governor of Singapore's Despatch which states that "the States of Tringanu and Kalantan form no part of the territories of the kingdom of Siam." Those States have been tributary to Siam for years, and many generations of rulers past: this fact is universally acknowledged.

In 1859 the Governor of Singapore sent a complaint of Chin Zong Zong, a Singapore trader, to you, relating to some matters in connexion with Kalantan; you, consequently, wrote to the Siamese Government about it.

The Siamese Government and Her Britannic Majesty's Consul arranged and settled that affair.

In 1861, July 17th, you wrote to the Siamese Government that the Governor of Singapore had written, inquiring if the report, that the Government of Siam intended to depose the Rajah of Tringanu and place the ex-Sultan of Linga in his stead, was true or not.

These two facts with which you are acquainted are sufficient proofs of the error of the Governor of Singapore's statement.

The various other matters in the letter it is unnecessary for me to remark upon, as they have already been referred to in the correspondence between my Government and yourself.

When the Right Honourable the Earl Russell, Her Britannic Majesty's Minister for Foreign Affairs, has minutely investigated this matter, there is no doubt his Lordship will come to a just decision.

The Rajah of *Tringanu* to his Excellency *Chow Phya*, Kalahome,—(dated 17 November 1862.)

Sir,

I beg to inform your Excellency that the Resident Councillor of Singapore came to *Tringanu* with three steam vessels.

He brought me a letter from the Governor of Singapore, demanding the person of Sultan Mahomed, in order to take him to Bangkok, for it was certain that he was connected with the disturbances in Pahang. I told the Resident Councillor that Sultan Mahomed was not in the least involved in those disturbances. He would not believe me, but insisted on having Sultan Mahomed. I replied that his Majesty the King of Siam had sent Sultan Mahomed to *Tringanu*, and I could not deliver him over, fearing his Majesty's displeasure. The Resident Councillor then said, "never mind," as he would be responsible for the consequences. I went and advised Sultan Mahomed to return to Bangkok in the Resident Councillor's steamer; he replied he was afraid to go away with the Resident Councillor, because he mistrusted him. I then requested that he may be sent in one of my own vessels. The Resident Councillor would not consent to it, but insisted on my delivering him up. I was then at a loss what to do, to make Sultan Mahomed proceed with the Resident Councillor, as he was determined not to go. If I used force in seizing Sultan Mahomed, bloodshed and loss of life would probably have been the result, as he had 40 armed followers about him, and would thus have caused the displeasure of his Majesty and the Resident Councillor. I consequently wrote to the Resident Councillor, explaining this matter; but he doubted me, and sent no reply to my letter, but fired innumerable shots at the town of *Tringanu*. The inhabitants became alarmed and fled. Sultan Mahomed during this time also fled, but to what place I know not; every one went where they could find shelter. I myself fled with my family. God knows that at the time many of the people got scattered and fled.

Should Sultan Mahomed arrive at any time in Bangkok, I beg your Excellency will take care of him. I also request to inform your Excellency that I could make no resistance against the English. I see at present that *Tringanu* is reduced to a condition from which it will never recover.

Affairs have come to such a pass that I am at a loss how to proceed further.

Your Excellency is doubtless aware of the whole particulars of these disturbances. I trust your Excellency will solicit his Majesty to continue his favour towards me, and pardon any shortcomings on my part. Copies of all the correspondence relating to the disturbances in Pahang between me and the Governor of Singapore have been sent overland *viâ* Sangora, to be forwarded to Bangkok.

The Governor of the Straits Settlements to Her Britannic Majesty's Consul at Bangkok,—
(No. 522-1231, dated Singapore, 26 December 1862).

Sir,

In acknowledging the receipt of your letter, dated 18th instant (with enclosures), I deem it right to observe, that I find by reference to my records, that my Despatch, No. 479, of the 29th October 1859, simply transmitted for your consideration, copy of a petition from a Singapore trader, in which he stated that after leaving Kalantan, his brother proceeded to Siam; that, *en route*, he touched at an island for the purpose of watering, when his tope and crew were seized by the Siamese authorities. This statement was corroborated by the correspondence submitted with your letter of the 12th November, from which it appeared that the vessel in question having been found too far north to admit of her being considered as on a trading voyage, had been seized by the Siamese authorities on suspicion of being a piratical craft, and carried, not to Kalantan, but to Bangkok, which, I presume, must have been the nearest Siamese port; in this matter no charge whatever was made against the Kalantan authorities. Correspondence with those authorities having always been conducted without reference to the court of Bangkok, a similar course would have been pursued had their actions been called into question.

2. In my letter, No. 406, dated 18th July 1861, I simply protested against a supposed intended act of interference on the part of the court of Siam with the affairs of *Tringanu*, an act which I should have considered an infraction of the treaty, the more especially as it did not appear that the Siamese government, or any of their dependent states had experienced any wrongs requiring to be redressed.

3. Under the above circumstances, I am perfectly at a loss to understand on what grounds the above letters have been construed into an acknowledgment of the sovereign rights of Siam over the states of *Tringanu* and Kalantan, states of which the independence seems to have been mutually guaranteed by Great Britain and Siam.

4. In conclusion I would merely remark, that it being beyond my province to discuss the question of the justice or otherwise of the claims now advanced by Siam, whilst it does not appear from my office records that these claims have hitherto ever been admitted, I am precluded from recognizing them without the orders of his Excellency the Governor General of India in Council, for whose consideration this correspondence will be duly submitted.

Colonel *Orfeur Cavenagh*, Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the Government of India, Foreign Department, —(No. 5-21, dated 7 January 1863.)

Sir.

* No. 1.

IN continuation of former correspondence, I have the honour to forward herewith, for submission to his Excellency the Governor General in Council, copy of a letter,* dated 31st ultimo (with enclosures), received from Her Majesty's consul at Bangkok.

2. From the above it would appear that my surmise has proved correct, and that the attempt on the part of the Siamese Court to accede to the demands of the Supreme Government was not made until the setting in of the monsoon had removed almost all chance of its proving successful.

Enclosures.

Sir *Robert H. Schomburgk*, Her Britannic Majesty's Consul, Bangkok, to his Honor Colonel *Orfeur Cavenagh*, Governor of the Straits Settlements,—(dated 31 December 1862.)

Sir,

I HAVE the honour to forward to you copy of a letter from the Governor of Tringanu, dated the 28th of October last, to the Kalahome, respecting the occurrences in Tringanu; added to which there is another letter from Mr. Ames, signing himself captain of his Siamese Majesty's steam ship "Alligator," giving an account of his proceedings while in command of the Siamese vessel before named.

Phya Tringanu, to his Excellency *Chow Phya Kulahome*,—(dated Tringanu, 28 October 1862.)

I RECEIVED with great pleasure the letter your Excellency sent me, together with the copies of the letter of the Governor of Singapore, and the complaint of the Bandaharah of Pahang about Wan Ahmat attacking Pahang, and stating that I was favourable to Sultan Mahomet, and had sent with Wan Ahmat, the people of Tringanu, Dongoon and Kamaman, in all about 300 to 400, under the head men, Tankoo Long and Orang Kaya, to make a disturbance in Pahang.

The various matters in all these letters are understood.

I beg to inform your Excellency that Wan Ahmat, his family, and his people took up their quarters at Pakah, within the boundary of Tringanu, when I was on the eve of starting for Mecca. I at that time expostulated with him, and advised him to remain quiet, and not to make a disturbance with the people of Pahang. Wan Ahmat promised to abide by my instructions, and after which I sailed.

On my return from Ceylon to Singapore, I was informed that Wan Ahmat had attacked the frontiers of Pahang, Undom, and Quantan. When the Bandaharah of Pahang complained to the Governor of Singapore, saying that I was assisting Wan Ahmat to make a disturbance, I was in Singapore at the time, and knew of the complaint.

I then returned to Tringanu, and on finding Wan Ahmat had come back again to Pakah, I forbade his staying there, as he had not abided by my advice, and the Governor of Singapore requested me not to interfere in the matter of Wan Ahmat and the Bandaharah of Pahang.

Wan Ahmat then departed from Pakah, leaving his mother and wife behind. After this I received news that he was in the territory of Kalantan.

When Sultan Mahomet took his departure from Bangkok, and called in at Kalantan, Wan Ahmat followed him to Tringanu. I asked Wan Ahmat why he came back? he replied that he had come to accompany Sultan Mahomet. I then ordered him to depart from Tringanu without delay, as I was afraid that evil reports might arise from his being at Tringanu, and he accordingly left Tringanu.

I afterwards heard that he went to Pakah to see his mother and wife. Shortly after this I heard that he had attacked Pahang, having gone to the north of Dongoon with four or five head men of Pahang in charge of 200 or 300 followers, who had come from Pahang to receive Wan Ahmat, because the head men and the people of Pahang loved him, and wished to appoint him their ruler.

The people on the north of Dongoon could not prevent Wan Ahmat from passing through. They were afraid of opposing him, because his followers were more numerous. This news was brought to me by Tongku Che, who was at that time in Dongoon.

On

On hearing this, I immediately sent Tongku Che to prevent Wan Ahmat from crossing over to Pahang, but he did not reach Wan Ahmat in time. Wan Ahmat had already gone to the north of Tapaling, in the territory of Pahang, where he was not followed, fearing that there might arise a disturbance; and besides the Governor of Singapore had forbidden my interfering with the affairs of Wan Ahmat. I was afraid of the consequences, as Wan Ahmat was a friend of mine, and so was the Bandaharah of Pahang.

The Governor of Singapore wrote me a letter and sent a copy of the complaint of the Bandaharah of Pahang, which stated that Wan Ahmat had attacked Pahang; that I was favourable to the cause of Wan Ahmat; that I had sent Orang Kaya as commander; that Sultan Mahomet had also sent Tonku Long as commander over 300 or 400 of the people of Tringanu, Kamaman and Dongoon, with arms and ammunition. The same as was stated in your Excellency's letter to me.

I replied to the Governor of Singapore, requesting him to send a trustworthy person to Tringanu to see if Orang Kaya and Tongku Long were in Tringanu or not at the time referred to.

The Governor of Singapore replied to me, saying, Wan Ahmat had passed through the territory of Tringanu, and I did not prevent him. Wan Ahmat had attacked Pahang, and the ex-Sultan of Linga had joined him.

On hearing this I was at a loss what to think. It was true Wan Ahmat had attacked Pahang; I did not in any way favour this matter. I have to inform your Excellency that Sultan Mahomet did not assist the cause of Wan Ahmat, for since two or three days after Sultan Mahomet's arrival at Tringanu from Bangkok, he has been sick, and has not yet entirely recovered. I do not perceive the policy of creating disturbances with the neighbouring countries; if I did so I would be greatly disliked.

I beg to inform his Majesty and your Excellency that all the letters of the Governor of Singapore, the Bandaharah of Pahang, and mine and the Governor of Singapore's replies have been sent for your information.

I beg respectfully to say that I have no other I can look to for advice and protection but your Excellency, in whom I place implicit confidence. Further, I have no thoughts of making any change, and beg the privilege of still remaining under the protection and favour of his Majesty the King of Siam.

Should Sultan Mahomet wish to go to any other place, I will prevent him from doing so, and will first inform his Majesty the King of Siam and your Excellency; if he attempts to go by force, I shall detain him at all risks, as I fear the displeasure of both his Majesty the King of Siam and your Excellency.

I am confident his Majesty and your Excellency will still continue your favour and protection towards me.

Captain *Samuel J. B. Ames*, His Siamese Majesty's Steam Ship "Alligator," to his Excellency *Chow Phya Sri Suri Wongs*, Prime Minister of Siam;—dated Bangkok, 24 December 1862.)

Sir,

I HAVE the honour to inform you that I left the bar on the 20th ultimo, and according to instructions proceeded to Tringanu for the purpose of bringing the ex-Sultan of Linga to Siam. On the 25th at noon I arrived at Tringanu, and immediately despatched Phza Nu Rak Jotha, the royal messenger, with the letters on shore, and proceeded with the ship to Pulo Kapas, the anchorage off Tringanu being very unsafe at this season of the year.

On the 27th I went by land to Tringanu and had an audience with the Sultan of Tringanu, who informed me that two English ships of war had bombarded the town only a few days previous, and that ex-Sultan Mahomet had fled to the northward.

On the 29th ultimo I left Tringanu for Beesoo (where I was informed the ex-Sultan was), and arrived off that village at 5½ P. M. of the same day; sent a boat on shore and made the ex-Sultan acquainted with the nature of the visit. The next day I sent the royal messenger on shore, and then waited until the 19th instant for the ex-Sultan; but during the whole of that time it blew very fresh, and the north-east monsoon having set in very strong, and Beesoo being quite open to wind and sea from that quarter, it was quite impossible for him to come off to the ship.

I employed native boats to go on shore with messages, and two boats were swamped in endeavouring to come off to the ship; therefore finding it useless to remain any longer at Beesoo, I left on the 19th instant for Bangkok, and arrived in the river last night.

I beg to state that ex-Sultan Mahomed is very sick, and that the weather alone prevented his returning to Bangkok in the ship.

There were only small fishing boats at Beesoo, and I had no life-boat, therefore could render him no assistance. The ex-Sultan seemed very anxious to come on board the ship, but the weather alone was the cause of his not doing so.

(No. 18.—Foreign Department, Political.)

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Her Majesty's
Secretary of State for India.

Sir,

Simla, 5 May 1863.

IN continuation of Despatch, No. 20, dated 21st February last, from the President in Council, regarding disturbances in the Malayan Peninsula by Inchi Wan Ahmet and the Sultan of Linga, I have the honour to forward for the information of Her Majesty's Government, copies of three further letters received from the Governor of the Straits Settlements.

I have, &c.

(signed) *Elgin and Kincardine.*

(No. 6.—General, No. 36, of 1863.—Foreign Department, Political.)

The Governor of Prince of Wales Island, Singapore, and Malacca, to the Secretary to the
Government of India, Fort William,—(dated Singapore, 10 January 1863.)

Sir,

I HAVE the honour to enclose for submission to his Excellency the Governor General in Council, copy of my reply * to the letter dated 31st ultimo, received from Her Majesty's consul, Bangkok.

* No. 22, dated
10th January 1863
(with enclosures).

2. I have considered it my duty to decline recognising the sovereign rights recently assumed by Siam over Tringanu and Kalantan, as any acknowledgment thereof on my part might possibly hereafter be advanced by the Court at Bangkok as a further argument in support of the justice of the claim now preferred, and thus in some degree fetter the decision of the Home Government, which, up to the present, is in a position to deal with the question upon its original merits. It is certainly to be regretted that the exact relative position of the above States has never been clearly defined; but it is manifest from the correspondence that has been conducted with the chiefs, that hitherto they have always been looked upon by the British Government as perfectly independent, although so far doing homage to Siam as to forward the periodical presents generally expected by a powerful Native State from its weaker neighbours. Of this correspondence Sir Robert Schomburgk is doubtless not aware, his appointment being of recent date.

3. I take this opportunity of mentioning that the accounts received from the commander of the "Alligator" fully confirm the report of the senior naval officer as to the judicious manner in which my orders were executed, in accordance with the instructions contained in my letter, No. 420, dated 3d November last. The fire of the shipping appears to have been almost entirely confined to the fort (which stands apart from the town), and the Sultan's boats in its immediate vicinity, whilst not a single person was injured, though the display of our power has apparently had the desired effect of terrifying the intriguing chiefs, and preventing any further assistance being rendered to Inche Wan Ahmed.

I have, &c.

(signed) *Orfeur Cavenagh*, Colonel,
Governor.

(No. 22.—General, No. 35, of 1863.)

The Governor of Prince of Wales Island, Singapore, and Malacca, to Her Britannic
Majesty's Consul at Bangkok,—(dated Singapore, 10 January 1863.)

Sir,

I HAVE the honour to acknowledge the receipt of your Despatch dated 31st ultimo, with enclosures.

2. I have already, in my former letter, pointed out to you that it is beyond my province to discuss with the Siamese Court the question of its alleged sovereign rights over the States of Tringanu and Kalantan; but as I observe that, in alluding to the ruler of the former country, you style him the "Governor," I deem it right to annex for your information, extracts from communications received, as far back as the last century, by this Government from the Sultan of Tringanu, relative to the nature of his political relations with Siam. That these relations had remained unchanged, I was myself personally assured by the present Sultan, who has always been treated as an independent chief, on the occasion of my granting him an audience on the 30th March 1861 (at a subsequent interview on the 17th

May

May he referred to his fears of being attacked by Siam); and his assurances were confirmed by the report received from the commander of the steamer directed to proceed to the east coast of the Peninsula to ascertain the intentions of the Siamese fleet, and who was at Tringanu during the stay of the fleet at that port in July.

3. In conclusion, I cannot but express a conviction that the authorities at Bangkok never entertained any real intention of fulfilling the promise made with regard to the withdrawal of the ex-Sultan of Linga from the Malay Peninsula, and that the departure of the "Alligator" was purposely delayed until the setting in of the monsoon had removed all chance of her mission proving successful.

I have, &c.
(signed) Orfeur Cavenagh, Colonel.
Governor.

EXTRACTS of LETTERS from the King of *Tringanu* to Captain *Light*.

"In addition to this, we acquaint our son that whilst the King of Siam remained at Sanggora he gave orders for summoning the King of Kedah, the King of Patani, and the King of Tringanu (to do homage). The reply from the King of Patani being in terms not conciliatory, his country was invaded by the Siamese, subdued and laid waste. With regard to the letter addressed to us, we stated in answer to it, that it never had been customary from the earliest times to appear personally before the King of Siam, but only to convey to him a flower of gold (filagree) and another of silver. Some time after this there arrived an envoy from him, who demanded that a hundred pieces of cannon, and likewise all Siamese subjects who were settled in Tringanu, should be delivered to him. He further required a variety of rich articles of furniture; his demands upon us were highly exorbitant and oppressive. Our alarm on the occasion was very great, and we roused the country in order to be in a situation to resist the King of Siam; but through the aid of God and of his Prophet, he returned to his own territory, carrying off with him a number of the Patanese whom he had seized (the Patani country being intermediate between the dominions of Siam and Tringanu). We shall now proceed to make our son acquainted with the genealogy of the kings of Johor down to our own time, for his consideration." (On this descent he grounds his resistance to the King of Siam's claim of personal homage.) "Written on the 15th day of the month Shatan, in the year 1201 (1787).

"The King of Siam still persists in requiring that either your royal and gracious father or the heir apparent should appear in his presence; but from the beginning of time, through all generations, the kings of Johor never did personal homage to the kings of Siam, but only sent complimentary messages. With regard to this journey to the presence of the king, your royal father has not yet made up his mind; but, on the other hand, the king has declared that if his will is not obeyed, he intends to enter our country in the fifth month from this time. Now, if our son feels any concern for our situation, he will give orders for a couple of guarda costas to proceed to this place in the course of four months, bringing with them a set of English colours There is nothing we can send in token of our affection but two pieces of cloth; they are not a suitable gift, and must be considered merely as if we presented him with a flower. This letter is written on the sixth day of the month Safor, being Friday, at nine o'clock, in the year 1202 (1787).

"The reason for making this request is that we still continue at variance with the King of Siam, and are unable to ascertain his good or his bad intentions. We have transmitted to him the flower of gold and the flower of silver, together with the usual present (in money), but no answer from him has been yet received. In (the beginning of) this year he came to Patani and smote it, utterly ruining and laying it waste, and putting to death the principal people. On this account it is we are apprehensive that in the ensuing season he may perhaps come and invade Tringanu. If a ship could by any means be spared, it would assist in enabling us to resist the power of Siam Furthermore, with respect to the articles forwarded to us by our son, they are arrived, but we have taken only such as we fancied, namely, a timepiece, two pair mirrors, a piece of green and one of purple velvet, two pieces of gold tissue, and one parcel of lace; the value of which amounts to 1,592 Spanish dollars. Written on the third day of the month Safor, on the night of Thursday, in the year 1207 (1792).

General, No. 254 of 1863 (No. 37.—Foreign Department, Political).

The Governor of Prince of Wales Island, Singapore, and Malacca, to the Officiating Secretary to the Government of India, Fort William; dated Singapore, 19 February 1863.

Sir,

In continuation of former correspondence, I have the honour to enclose for submission to the Honourable the President in Council, a translation of a letter, dated the 27th ultimo, received from the Sultan of Tringanu, together with a copy of my reply.

2. From information received from other sources, I am induced to believe that the Sultan is really desirous of regaining our friendship, though possibly the fear of Siam may prevent his taking active measures against a chief supposed to be under the protection of the court at Bangkok; moreover, it is generally believed that he has made, at various times, considerable advances to Inchi Wan Ahmed, and consequently his avarice may still induce him to entertain a hope of his success.

3. By the last accounts from Pahang it would appear that Inchi Wan Ahmed had again retreated to a considerable distance inland, and that the country in the neighbourhood of the coast was becoming tranquilised.

I have, &c.
(signed) Orfeur Cavenagh, Colonel,
Governor.

His Highness the Sultan of Tringanu to the Honourable the Governor of the Straits' Settlements; dated Tringanu, 27 January 1863.

After Compliments,

WE beg to acknowledge the receipt of our friend's letter of the 28th November, and we understand its contents; moreover, we beg to inform our friend that we are always very happy to keep peace and be on good terms with the neighbouring states, and do not intend to make any disturbances in the Malay Peninsula, though we have many times informed our friends about Inchi Wan Ahmed's attack on Pahang, and we have never interfered in these matters, nor has any power been given by us to assist Wan Ahmed either to take refuge in our country or to disturb the country of Pahang. When they came from Kalantan, and arrived in our country, we inquired from them on what business they came into our country; they said they followed the Sultan of Linga from Bangkok to Kalantan, so they came with the Sultan of Linga. At the same time, we ordered them not to remain in our country; they went out from our country, and a few days after we received news that Wan Ahmed had arrived at Paka on a visit to his mother, and after this he proceeded to Pahang; then we desired our people to prevent, and not allow them to go, but they had no time. Wan Ahmed had gone to some places which are within the territory of Pahang; therefore our people were much afraid to follow them in those places, as perhaps there would have been quarrels amongst them; and, moreover, we did not prevent our people who wished to export rice to Pahang; we ordered our people that, if any person would like to take rice to Pahang, he can go there or to any other country; but the same people in our country, who trade to Pahang, they make many false reports in order to foment a quarrel between us who are as brother and brother; we, therefore, do not allow them to go there to make up these stories. Many people would trade to Pahang, but we heard that it was very difficult to get their money, therefore a great number of people in our country would not like to go there; moreover, the country is in the midst of a quarrel, so that our people much fear to enter Pahang, and therefore we informed our friend many times of the affairs of Pahang, though our friend would not be satisfied with us, therefore we could not say anything; but we hope our friend will take this into his just consideration, to judge all the news which comes to our friend's notice, because we have no wish at all to break the friendship which so long has existed with the British Government, and we are very glad to follow the advice given by our friend to us about the Sultan of Linga, but still, at that time we were in the interior of the country. At the same time, the captain on board the men-of-war ship wrote a letter to us, and said if we did not send the Sultan of Linga on board before 12 o'clock, he would fire on us; he also told us to take away our family as far as we could, to save our lives. Our friend well knows the Sultan of Linga would not take our advice at all, and did not believe us, and his own followers were ready, 30 or 40 in number, and well armed; if we took them by force, of course he would have quarrelled with us, and many would have been killed, and perhaps we should have been blamed by our friend, as our friend wanted to make a peaceful arrangement; therefore we thought we wanted a plain order from the Honourable R. Macpherson on board the steamer, and before we received an answer the Honourable R. Macpherson bombarded our port; a great many houses were destroyed, and many people shot, then we took our family away as far as we could, to save our lives from those shots. At that time we could not say which way the Sultan of Linga went. We beg to inform our friend that a few days after the steamer which blockaded our port returned to Singapore, one of the great men of Siam, with a steamer, brought a letter to us from the Rajah of Siam, and ordered us to send the ex-Sultan of Linga back to Siam at once, and we heard that the Sultan of Linga remained in a part of our territory towards the north, named Basoot. He wanted to go to Bangkok, and we desired the steamer, with many of our people, to proceed to that place. When the steamer arrived at Basoot, the great man of Siam went ashore to ask the Sultan of Linga to go with him to Bangkok in the steamer, and the Sultan was very anxious to go, but he wished to remain there until the arrival of his concubines and children. After the arrival of the women and children the great man embarked on board the steamer to await the embarkation of the ex-Sultan of Linga, but the Sultan of Linga did not come on board, the weather being very boisterous so the steamer weighed anchor, and

and proceeded to Bangkok, and the Sultan remained in that place; the great man did not come to take him by force. If he still remains there, we cannot be relieved from our trouble; therefore, we return our thanks for the advice given to us by our friend. Furthermore, the false report received by our friend we are quite ignorant of, but we can only bear the injury. Therefore, we beg our friend to write to the King of Bangkok to send a steamer, and take the ex-Sultan to that country. We have nothing more to say, but only send our best respects to our friend.

(No. 124.—General No. 253 of 1863).

Colonel *Orfeur Cavenagh* to his Highness the Sultan of Tringanu; dated Singapore, 19 February 1863.

After Compliments,

WE have received our friend's letter of the 27th January, and understood its contents.

2. We have already clearly pointed out to our friend that, as the ruler of a friendly State, he is not only bound to prevent any of his own subjects from disturbing the peace of Pahang, but also to prevent his territories from becoming the base from which operations may be carried on against that country. Our friend has neglected his duty in this respect on every occasion in which Inchi Wan Ahmed has made an invasion into Pahang. He has, in the first instance, organised the invading force, and formed his magazines within the limits of our friend's dominions, and on every occasion of his being defeated he has equally sought refuge, and obtained protection in our friend's district at Kamaman. Even now, we are aware that he obtains supplies from that district, and that the boats in which he embarked from Kalantan are still within our friend's power.

3. We have never been unmindful of the friendship that has so long existed between Great Britain and Tringanu; we have duly intimated to our friend the duties and obligations that devolve upon him as the chief of his country, duties and obligations that he cannot be allowed to disregard. If our friend is really desirous of remaining at amity with Great Britain, and of aiding towards the restoration of peace and tranquillity to the Peninsula, his course is clear. He should take measures to effectually cut off all communication between any of his people and the adherents of Inchi Wan Ahmed, and to prevent the latter from ever again obtaining shelter within any portion of his territories. As regards the ex-Sultan of Linga, doubtless the Court of Siam will shortly remove all anxiety on his account by recalling him to Bangkok.

4. We have now given our friend the best advice in our power; it must rest with himself either to follow our counsel, or to take the consequences of persevering in the course he has hitherto pursued.

5. We were very much surprised to observe that our friend, in his letter under reply, stated that many persons were destroyed by the fire of the shipping. Our friend must be well aware that this statement is incorrect, and that, owing to the humane precautions taken by the commander of the naval force, not a single person was injured. If in this matter our friend attempts to deceive us, how can we believe in the truth of his other assertions?

6. We hope that our friend received our letter of the 20th ultimo, requesting our friend to appoint an agent to receive the amount (\$679) of the refund allowed by the directors of the Peninsular and Oriental Company.

(signed) *Orfeur Cavenagh*, Colonel,
Governor.

(No. 17.—General No. 327 of 1863. Foreign Department, Political).

The Governor of Prince of Wales Island, Singapore, and Malacca, to the Officiating Secretary to the Government of India, Fort William; dated Singapore, 2 March 1863.

Sir,

IN continuation of former correspondence, I have the honour to enclose, for submission to his Honor the President in Council, copies of a Despatch, dated the 17th instant (with enclosure)*, received from his Britannic Majesty's Consul at Bangkok, and of my reply thereto.

I have, &c.
(signed) *Orfeur Cavenagh*, Colonel,
Governor.

* No. 1.

Sir Robert Schomburgh to his Honor *Colonel Orfeur Cavenagh*, Governor of the Straits' Settlements; dated Her Britannic Majesty's Consulate, Bangkok, 17 February 1863.

Sir,

IN acknowledging your Despatch, No. 522, of 26th December last, I have the honour to inform you that I have not communicated it to the Siamese Government, as in writing it you seem to have been unaware of the case referred to by the Kalahome, and correctly stated by his Excellency to have been settled at Kalantan by the intervention of the Siamese authorities.

I enclose to you copy of the Resident Councillor Somerset Mackenzie's letter in the case referred to, in which the authority of Siam over Kalantan is distinctly acknowledged.

I have, &c.
(signed) *Robert H. Schomburgh*.

(No. 459 of 1858.)

H. Somerset Mackenzie, Esq., Resident Councillor, Singapore, to *R. Schomburgh*, Esq., Her Majesty's Consul at Bangkok; dated Singapore, 16 June 1858.

Sir,

THE bearer named Zong Zong, a British subject, whilst on a trading voyage to Kalantan, was robbed of all his property, and on reaching this port made a statement at the police-office, which I have now the honour to forward to you, trusting that some steps may be taken by the Government of Siam to which Kalantan is subordinate, for redress being given to the sufferer.

I have, &c.
(signed) *H. Somerset Mackenzie*,
Resident Councillor.

(No. 142.—General No. 282 of 1863.)

The Governor of Prince of Wales Island, Singapore, and Malacca, to Her Britannic Majesty's at Bangkok; dated Singapore, 24 February 1863.

Sir,

IN acknowledging the receipt of your Despatch of the 17th instant, I deem it right to observe that in his communication, dated the 18th December 1862, the Prime Minister of Siam distinctly referred (*vide extract*, marginally noted),* to a correspondence between yourself and the Governor of the Straits' Settlements, that took place in 1859. It now appears that the allusion was made to the subject of a letter received in June 1858 from a subordinate officer, acting without the authority of the head of the Government, and certainly vested with no power to recognise, or otherwise, the claims of Siam to sovereign rights over the State of Kalantan. Had the matter been brought to the notice of my predecessor, doubtless the error would at once have been detected and rectified.

2. From the copy of the correspondence which I have just received from the Resident Councillor's office, it appears that in your letter, dated the 31st July 1858, you alluded to the insubordination of the Kalantan authorities, and even expressed a wish that the settlement of the matter at issue had been taken over by Her Majesty's Ship "Niger," a sufficiently convincing proof of the nature of the authority alleged to have been exercised over that state.

I have, &c.
(signed) *Orfeur Cavenagh*, Colonel,
Governor.

(Political Department.)

The Secretary of State for India, to the Governor-General of India in Council;
dated 25 July 1863, No. 52.

I HAVE received and considered in Council the letters of your Excellency's

Government, noted in the margin* relating to the affairs of the
Foreign Letter, 8 December, No. 133, 1862. Malay Peninsula and the bombardment of Tringanu. Other
" " 21 February, No. 20, 1863. correspondence on the same subject has been communicated to
Governor General's Letter, 5 May, No. 18, 1863. me by the Lords Commissioners of the Admiralty, and by the Secretary of State for Foreign Affairs.

2. I have

2. I have not hitherto answered, indeed, I have purposely delayed my reply to your Excellency's letters, because I was in the expectation of receiving further communications on the subject from your Excellency, and was unwilling to express an opinion until all the correspondence, which could contribute to a right understanding of the circumstances of the case, and especially of the causes and the consequences of the bombardment of Tringanu, were before Her Majesty's Government, and I desire that your Excellency will request Colonel Cavenagh to furnish further explanation of the reasons for his conduct, and that I may have the benefit of the opinion of your Excellency's Government on these proceedings with as little delay as possible.

3. So long a period, however, has now elapsed since these circumstances occurred, that I can no longer abstain from addressing you on the subject. In the absence of any expression of your Excellency's views, and, as it appears to me, of any full explanation of the considerations which induced the Governor of the Straits' Settlements to adopt the course of policy indicated in the papers before me, I shall not pronounce any final opinion on the proceedings which he has taken.

4. I am fully aware of the services and ability of Colonel Cavenagh, and I have no doubt of his having been actuated only by his conviction of the necessity of the public service, but I cannot refrain from expressing the opinion that, so far as the papers before me throw light upon the subject, the course which he pursued appears to have been, at the least, precipitate.

5. I need not inform your Excellency that armed interference in the affairs of a friendly state is only to be justified by imperative necessity. I do not at present see that there was any such necessity, in the conjuncture which had arisen in the Malayan Archipelago, in the autumn of last year, to justify the dispatch of a naval expedition to Tringanu to bombard that place for the purpose of thus enforcing the extradition of the ex-Sultan of Linga. It is true that the movements of that chief, in conjunction with Inchi Wan Ahmed, may have disturbed the peace of Pahang, and may, to some extent, have been injurious to the trade of the Malayan Peninsula. But I still cannot see that the crisis was of such urgency as to have justified a subordinate Governor, in such a position as that occupied by Colonel Cavenagh, in attacking a friendly port, without either awaiting your Excellency's instructions or the result of the communications which had been made to the Siamese Government. No serious inconvenience would, it appears to me, have resulted from such reasonable delay. There are conjunctures in which subordinate officers are compelled to act with promptitude and to take upon themselves grave responsibilities, from which they are readily and approvingly released by their Government; but I do not see that the conjuncture which had arisen in this instance was one that imperatively called for immediate action. I will not make any further observations until I am in possession of the further information and papers which I have requested your Excellency to furnish.

(signed) C. Wood.

PAPERS RECEIVED FROM THE FOREIGN OFFICE.

(No. 24.)

Sir *Robert Schomburgk* to Earl *Russell*, dated British Consulate, Bangkok,
30 July 1862.

My Lord,

I HAVE the honour to enclose herewith the copy of a letter which I received from Colonel Cavenagh, the Governor of Singapore and the Straits' Settlements, respecting the character of Mahomet, Ex-Sultan of Lingga or Lingen, an island under the protection of the Government of the Netherlands, situated about 100 miles south of Singapore, and my answers thereto.

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Enclosure, No 1.
Colonel Cavenagh
to Sir Robert
Schomburgk, 27
June 1862.
See page 14.

Encl. Nos. 2 and 3.
Sir Robert Schom-
burgh to Colonel
Cavenagh, 9 July
1862, and 18 July
1862. See page 15.

It appears that he was expelled from Lingga in consequence of political intrigues, and on his leaving it, he declared it was his intention to seek the favour of the King of Siam, who is suzerain of Tringanu and Kalantan, two Malay provinces, over which the uncle of Mahomet reigns as rajah. It is, however, supposed, since he has received permission from the king to reside there, that it was his intention to create a faction, and to usurp his uncle's place.

As soon as I received information from the Governor of Singapore, of the suspicion which he entertained, I called on the Minister of Foreign Affairs; the prime minister, who has the superintendence of the Malay provinces, was then absent on his tour to Singapore and the Malay Peninsula. The minister explained "that the ex-Sultan was merely a visitor, and that the King of Siam had no intention to entrust him with the charge of any of the Malay provinces."

An expedition of some of the king's ships and steamers having been determined upon for the suppression of disturbances in Cambodia, the ex-Sultan accompanied it, and the object having been effected, one of the steamers carried him to Tringanu. Colonel Cavenagh mistrusts the ex-Sultan. On the return of the Kalahome, or prime minister, from his tour of inspection, he called upon me, and stated he was not aware the British Government entertained any suspicion regarding Mahomet's motives to reside at Tringanu; that he only went there for the purpose of residing with his mother, who is the sister of the rajah of that place.

The suspicions of Colonel Cavenagh were not entirely subsided by this explanation, and Her Majesty's screw steam gun vessel "Beagle," Captain Hay, arrived here on the 12th of this month. On her way to Bangkok she called at Tringanu, and so quick had been the communication to the king of her having been there, that when Captain Hay waited with me on his Majesty, and I told him that he had called upon the rajah of Tringanu; he observed that he possessed already information of it, and wished to know for what object this visit had been made. I told him the apprehensions which were entertained respecting the ex-Sultan of Lingga, who seemed to enjoy the patronage of his Majesty. The king then explained that the Siamese Government do not interfere with the succession in the Malay States, unless it be disputed, when the king of Siam, as suzerain, elects the rajah. The ex-Sultan of Lingga had not been sent to Tringanu as successor to the present rajah. He went there because his mother resides there. He will not be permitted to interfere with the good order of the state, and if he should endeavour to overthrow the present rajah, he would be put down by a Siamese army; but if, after the present rajah dies, the people of Tringanu wish to elect Sultan Mahomet to replace him, the King of Siam will allow it.

The ex-Sultan of Lingga has hitherto done no overt act by which British interests have been jeopardised. I expressed, therefore, my confidence to his majesty, that he would use every exertion to prevent so ambitious a person, as the ex-Sultan is described to be, of giving cause to Her Majesty's Government of being dissatisfied with his proceedings.

The Governor of Singapore has addressed the Governor General of India on this subject. My present communication may contribute towards a better understanding and appreciation of the circumstances to which Colonel Cavenagh's despatches may allude, should they be placed before your Lordship by the Governor General of India. That Colonel Cavenagh apprehends any disturbances in Tringanu would injure the commerce of Singapore, is very evident. It is generally considered that it is due to his exertions that peace was restored between the rajahs of Johore and Pahang, the Malay States nearest to Singapore, the strife between them affecting, more or less, the commerce of the latter place.

(No. 28.)

Sir Robert Schomburgh to the Earl Russell, dated British Consulate,
Bangkok, 5 August 1862.

My Lord,

In continuation of the Despatch which I had the honour to address to your Lordship on the 30th of July last, under No. 24, I have since received a letter from Colonel Cavenagh, the Governor of the Straits Settlement, of which I beg leave to enclose a copy.

Your

Governor of Prince of
Wales' Island, Singa-
pore, and Malacca, to
Her Britannic Ma-
jesty's Consul, Bang-
kok, 28 July 1862.

Your Lordship will observe from its contents, that Colonel Cavenagh is by no means satisfied with the explanation the King of Siam has given respecting the motives of sending the ex-Sultan of Lingga to Tringanu, and complains of the discourtesy shown by the Siamese Government that no information was given to the British authorities of the king's intention.

The two enclosures in Colonel Cavenagh's letter, the one being a copy of a letter from the Bandaharah of Pahang to the Tumongong of Johore, the other an extract from a communication from the Sultan of Tringanu, the uncle of the ex-Sultan of Lingga, to the Governor of the Straits' Settlements, seem certainly to confirm Colonel Cavenagh's suspicions of the ex-Sultan's real motives.

I shall forthwith communicate with the Siamese Government, and advise them to recall ex-Sultan Mahomet from Tringanu, otherwise the Siamese Government will be rendered responsible for any disorders or injury that may accrue to British interests. The 12th article of the treaty with the King of Siam, dated 20th June 1826, is to the effect.

"Siam shall not go and obstruct, or interrupt commerce in the States of Tringanu and Kalantan. English merchants and subjects shall have trade and intercourse in future with the same facility and freedom as they have heretofore had, and the English shall not go and molest, attack, or disturb those States upon any pretence whatever."

The Governor of the Straits' Settlements observing, that he has informed the Governor General of India of those occurrences, I shall no doubt be informed what view his Excellency takes of the matter.

(No. 272.)

General No. 625 of 1862.

The Governor of Prince of Wales Island, Singapore and Malacca, to Her Britannic Majesty's Consul at Bangkok, dated Singapore 28 July 1862.

Sir;

I HAVE the honour to acknowledge the receipt of your Despatches, dated respectively 9th and 18th instant; and, with reference thereto, to annex for your information, copy of a letter, dated 9th idem, from the Bandaharah of Pahang to the Tumongong of Johore, as well as an extract from a communication received from the Sultan of Tringanu, from which it would appear that the presence of the ex-Sultan of Linga, on the coast of the Malayan Peninsula, is likely to tend to serious disturbances, for the consequences of which the Court of Siam would clearly be responsible, as it is solely to the countenance afforded him by that Court, and the impression caused by his arrival in one of their vessels, that any influence he may exercise over the chiefs can be attributed.

2. Adverting to the representation you deemed it right to make to the Minister of Foreign Affairs on the receipt of my Despatch, No. 406, dated the 18th July 1861, the Despatch without previous communication of the ex-Sultan of Linga to Tringanu in a Siamese Government steamer, if not a violation of Article XII. of the Treaty of the 20th June 1826, at all events, appears an act of such grave discourtesy, that I have considered it my duty to bring the matter to the notice of his Excellency the Governor General of India in Council.

From the Bandaharah of Pahang to Dato Tumongong of Johore, dated Pahang,
9 July 1862.

(After Compliments.)

MAY it be known to my brother that I inform you as to the circumstances of the Chamchoo fishing-sampan; a friend of Lugote came from Lagore; he reported to me that he visited the Sultan of Linga at the point of the river of Lagore; at the same time, the Sultan of Linga called him to come on board the steamer, and the Sultan of Linga informed him that the Rajah of Siam sent him with this steamer to proceed to Tringanu, but that he intended to land at Sungorah for pleasure for three days only, and at Patani three days, and at Kalantan three days; from Kalantan he was to proceed direct to Tringanu; after that, the Sultan of Linga said to Chamchoo, you will report to the Pahang men, "if we live, we must

enter Pahang;" that is all I can inform you: if you should wish to assist the country of Pahang, it must be at once; two or three days after, this letter arrives:—"I hope that you will send men to Pahang before they come; for God's sake, I hope that assistance will be sent by you; moreover, my brother will ask the Chamchoo who brought this letter."

EXTRACT of a Letter from the Sultan of Tringanu to the Governor of the Straits' Settlement, dated Tringanu, 17 July 1862.

"MOREOVER we inform our friend, regarding our nephew, the Sultan of Linga, who had proceeded to Siam, but now he has returned to Tringanu on the 11th Mooram 1279 (the 12th July 1862), and we have been desired by the King of Siam to keep him in good order; also two days after, Inchi Wan Ahmed came from Kalantan to Tringanu; then we inquired of him, 'what business have you to come here?', Inchi Wan Ahmed replied 'that he came to accompany the Sultan of Linga, because he visited Kalantan, and Inchi Wan Ahmed only arrived three days;' then we forced him to go out from our country, because we much fear to get a bad name about him with Pahang men; perhaps they will say we are interfering in Wan Ahmed's doings, and our friend has not allowed us to interfere at all; but now Inchi Wan Ahmed has been sent out from our country, and that is all we have to inform our friend. With our best respects to our friend."

(No. 37.)

Sir Robert Schomburgk to the Earl Russell, dated British Consulate, Bangkok, 22 November 1862.

My Lord,

I HAVE the honour to refer to the letter which I addressed to your Lordship under No. 24 on the 30th of July last, relating to the disturbances which might probably arise to the detriment of the commerce of Singapore, if Mahomet the ex-Sultan of Lingga were allowed to reside at Kalantan or Singapore. He had been expelled by the Dutch authorities from Lingga, and the Resident of Rhio addressed the Governor of Singapore, warning him of the doubtful character of Mahomet. Of the letter thus addressed to the Governor of Singapore, a copy was communicated to me, and a transcript forwarded to your Lordship's department. I stated, moreover, in that Despatch (No. 24 of the 30th of July), his Majesty, the Major King of Siam, had given me an audience during which Commander Hay of Her Majesty's Steam Sloop "Beagle" had been present; that he explained to me the ex-Sultan of Lingga went merely to Tringanu for the purpose of visiting his mother, who is the sister of the Rajah there; and that his Majesty assured me he would not be permitted to interfere with the good order of the State; and if he should endeavour to overthrow the present Rajah, which it was asserted were his intentions, he (Mahomet) would be put down by a Siamese force. This explanation of the King, which I communicated to Governor Cavenagh, did not quiet his suspicions of the designs of Mahomet, and he addressed to me the letter of which I transmitted a copy to your Lordship with my Despatch, No. 28, of the 5th of August last.

Disturbances were said to have broken subsequently out at Pahang, one of the states of the Malay Peninsula, and Governor Cavenagh asserted that he had strong reasons to believe they were instigated and supported by the ex-Sultan of Lingga. In the absence of the Kalahome, or Prime Minister, who is the Inspector or Superintendent General of the States of the Malay Peninsula, which form either an integral part of Siam, or are only tributary States, I addressed the Phraklang on the 14th of August last, enclosing copies of Governor Cavenagh's communications. I wrote, at the same time, to his Majesty the first King, and strongly recommended him to recall the ex-Sultan. His Majesty's answer forms Enclosure No. 6. I thanked his Majesty for his note, and expressed my opinion the removal of the ex-Sultan of Lingga from the Peninsula, would be the easiest solution of the question.

The letter from the Phraklang, dated the 23d of August, gives a succinct account of the reasons which had induced the King of Siam to receive Sultan Mahomet at Bangkok, and to send him to Kalantan in one of his ships, refusing that any political objects was connected with it. The different enclosures of that Despatch, of which copies are sent as per margin, state the measures recommended with regard to the ex-Sultan.

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* Several of these Enclosures are omitted, being included among the documents transmitted by the Government of India. See pp. 15-46.

* Enclosure, No. 1.
Sir Robert Schomburgk to
Colonel Cavenagh, 18 July.

Enclosures 2 and 3.
2. Colonel Cavenagh to Sir
Robert Schomburgk.

3. Bandaharah of Pahang to
Tumongong of Johore, and
Extract from letter of the Sul-
tan of Tringanu to Colonel
Cavenagh.

Enclosure 4.
Sir Robert Schomburgk to Chaw
Phya Phraklang, 14 August.

Enclosure 5.
Sir Robert Schomburgk to the
King, 12 August.

Enclosure 6.
The King to Sir Robert Schom-
burgk, 16 August.

Enclosure 7.
Sir Robert Schomburgk to the
King, 16 August.

Enclosure 8.
The Phraklang to Sir Robert
Schomburgk, 23 August.

Enclosure, No. 9.
The Kalahome to the Phya
Tringanu, dated 11 June 1862.

Enclosure, No. 10.
Phya Tringanu to the Kala-
home, 12 July 1862.

Enclosure, No. 11.
The Kalahome to the Phya
Tringanu.

The Phraklang's Despatch enclosed likewise a copy of the instructions given to Orang Kayan for the information of Phya Tringanu, respecting Sultan Mahomet. I transmitted to Governor Cavenagh copies of my correspondence with the Siamese Government on the 26th of August last.

I received under the date of 5th September, a Despatch from Governor Cavenagh, stating that he had received information from the Bandaharah of Pahang that an attack had been made upon his territories, and that he considers the ex-Sultan of Lingga is the instigator of it. Enclosure No. 15 is a copy of the Bandaharah's communication to Governor Cavenagh, and No. 16 of His Honor's Despatch to the Rajah of Tringanu, warning him of the consequences that could no otherwise follow if either overtly or secretly he takes any part in Inchi Wan Ahmed's acts. I informed the Kalahome of the contents of Governor Cavenagh's letter, and requested his Excellency to urge upon his Government that the ex-Sultan of Lingga should be forthwith removed from the Malay Peninsula, in conformity with the promise previously given to me.

The Kalahome expressed his regret, and sent to me a translation of a letter which under the 25th of September last he had addressed to Phya Tringanu, and stated that the Bandaharah of Pahang was a timid person, easily frightened, and whenever any slight occurrences take place, he immediately complains to the Governor of Singapore. However, the Governor by being informed of the circumstances took a different view of the occurrences, and still pressed the removal of Sultan Mahomet from the Malay Peninsula.

Colonel Cavenagh had meanwhile reported the matter to the Governor General of India, and transmitted to me an extract from a Despatch from the Secretary to the Indian Government, dated the 30th of August, in which it is stated that his Excellency in Council had learned with regret the Despatch to Tringanu of the ex-Sultan of Lingga, and that in thus acting the King of Siam had incurred a grave responsibility, and that his Excellency in Council cannot view but with displeasure a course, not only wanting in courtesy to the British Government, but threatening to disturb that peace and good order which it is the object of the British Government to maintain throughout the Malayan Peninsula.

I requested an interview with the Kalahome, during which I informed his Excellency that the proceedings of Colonel Cavenagh had been approved of by the Governor General of India. Enclosure No. 22 are the minutes of the conversation. His Excellency complained of the case having been misrepresented to the Governor General of India, and that this matter ought to have been treated between the Siamese Government and Her Majesty's consul at Siam. His Excellency gave the reasons by which his Government had been actuated, but on my pressing the necessity of the removal of Sultan Mahomet from the Malay Peninsula, and after some further discussions, during which the Kalahome laid much stress upon the inhospitality it would show were they to remove the ex-Sultan forcibly, he ultimately agreed that I should address the Minister of Foreign Affairs, demanding that, in the same manner as under Captain Burney's Treaty, the ex-Rajah of Quedah was removed from Penang by the British Government, his presence there being detrimental to the good order of the adjacent Malay States, Sultan Mahomet should be removed from Tringanu.

I informed Governor Cavenagh of the result of my interview, and sent him a *resumé* of our conversation. I received in answer a brief relation of the facts connected with the present state of affairs in Pahang, that actual hostilities had broken out, that the tin mines were no longer worked, that commercial interests suffered, and that it became now incumbent on the British Government to endeavour to restore to the country that rest and quietness so essential to the development of its resources.

Governor Cavenagh deemed it therefore his duty, acting upon instructions received from his Excellency the Governor General of India in Council, to adopt such measures as might appear most expedient for the protection of British interests, and the maintenance of the general peace of the Peninsula.

I endeavoured in my Despatch of the 23d of October last to place the occurrences as they then stood before the Phraklang, urging him to induce his Government to have the ex-Sultan of Lingga forthwith removed, and referring to the

Enclosure 12.
Instructions to Orang Kayan.

Enclosure 13.
Sir Robert Schomburgk to
Colonel Cavenagh, 26 August.

Enclosure 14.
Colonel Cavenagh to Sir Robert
Schomburgk, 5 September.

Enclosure 15.
The Bandaharah of Pahang to
Colonel Cavenagh, 19 August.

Enclosure 16.
Colonel Cavenagh to Phya
Tringanu, 2 September.

Enclosure 17.
Sir Robert Schomburgk to the
Kalahome, 17 September.

Enclosure 18.
The Kalahome to Sir Robert
Schomburgk, 24 September.

Enclosure 19.
The Kalahome to Phya Trin-
ganu, 25 September.

Enclosure 20 and 21.
Colonel Cavenagh to Sir Robert
Schomburgk, 22 September.
Extract enclosed.

Enclosure 22.
Minute of conversation between
Sir Robert Schomburgk and
the Kalahome.

Enclosure 23.
Sir Robert Schomburgk to
Colonel Cavenagh, 1 October.

Enclosure 24.
Colonel Cavenagh to Sir Robert
Schomburgk, 8 October.

Enclosure 25.
Sir Robert Schomburgk to the
Phraklang, 23 October.

fact that when under similar circumstances the Siamese Government requested the removal of the ex-Rajah of Quedah from Penang, the British Government had complied with it. I stated how deeply I should regret it, if, by the intrigues and machinations of so turbulent a spirit as the ex-Sultan of Lingga is described to be, those friendly relations which so happily existed between Her Majesty the Queen and the Kings of Siam, should be disturbed, for it seemed evident that, except Sultan Mahomet be removed from those States of the Malay Peninsula under the dominions of the Kings of Siam, or over which they hold suzerainty, such would probably be the case. I requested the Phraklang to place the contents of my Despatch before His Majesty the Major King.

Enclosure 26.
The Phraklang to Sir
Robert Schomburgk,
29 October.

The Phraklang repeated in his answer the arguments of the Kalahome, concluded; however, with the assurance that Sultan Mahomet should be sent for, adding that it would be desirable one of the officers of the British consulate should go on board the Siamese man-of-war which was to be despatched for that purpose, for otherwise Sultan Mahomet might join Inchi Wan Ahmed. I could in no way adopt such a proposition.

Enclosure 27.
The Kalahome to Phya-
Tringanu, 29 October.

The Enclosure in the Phraklang's Despatch shows the intention of the Siamese Government to comply with the desire to remove Sultan Mahomet, but the Minister pretends that at this season, when the north-east monsoon prevails, the entrance of the Tringanu river is closed, and that there was no shelter for vessels to anchor.

Enclosure 28 and 29.
Colonel Cavenagh to
Sir Robert Schom-
burgk, 29 October.
Messrs. Paterson,
Simons, and Co to
Colonel Macpherson,
23 October.

Hostile proceedings, as already observed, had meanwhile taken place. Pahang had been invaded by Inchi Wan Ahmed. The Chinese employed in the tin mines had fled, and those who were interested in these undertakings as well as the trade of Singapore in general were great sufferers. I beg to refer to the letter of Messrs. Paterson, Simons & Co., addressed to Colonel Macpherson, the Secretary to the Government of the Straits Settlements. The letter of Messrs. Paterson, Simons & Co. contains a report from the Bandaharah of Pahang, confirming that Inchi Wan Ahmed, assisted by the ex-Sultan of Lingga, were the promoters of these disturbances.

Enclosure 30.
The Bandaharah of
Pahang to Mr. Paterson,
10 October.

Enclosure 31.
Sir Robert Schom-
burgk to the Phrak-
lang, 6 November.

I addressed his Excellency the Phraklang on the 6th of November last, communicating to him the contents of the letter from Governor Cavenagh, and drew particularly his attention to that part of it where he states that he was prepared to take immediate proceedings, unless the ex-Sultan of Lingga were forthwith removed from Tringanu, and requested his Excellency that in order to avoid such steps, it would be requisite I should be enabled to inform the Governor by the steamer "Chow Phya" (then within four days of her departure for Singapore); that measures had been adopted by the Siamese Government not only to remove the ex-Sultan of Lingga from Tringanu, but also to prevent further attacks on Pahang proceeding from that State.

Enclosure 32.
The Phraklang to Sir
Robert Schomburgk,
8 November.

In reply, the Minister of Foreign Affairs informed me that he had stated the contents of my letter to the first king, who answered that already, on the 29th of October (Enclosure No. 28), a letter had been written to me; that the Government were willing to send a vessel to Tringanu for Sultan Mahomet, but they were afraid he would flee to Inchi Wan Ahmed, and as they should not wish to judge the question from the reports of the Bandaharah of Pahang alone, they had desired information from the Rajah of Tringanu, which information had not arrived. But as now the Governor of Singapore warmly insisted upon their sending a vessel, in order to preserve the bonds of friendship with Great Britain, they would send their war steamer "Alligator" with one of their officers, but as that vessel was not in readiness, and officers and crew had to be provided for her, some time would elapse, but whether she could anchor off Tringanu with the north-east monsoon was doubtful.

Enclosure 33.
Sir Robert Schom-
burgk to Colonel
Cavenagh, 8 Nov.

Enclosure 34.
Colonel Cavenagh to
Sir Robert Schom-
burgk, 17 November.
And six enclosures.

I despatched a copy of this letter to the Governor of Singapore on the 8th of November last, and received on the 22d of the same month a letter from his Honor, dated the 17th of November, in which he informed me that he had considered himself authorised to take measures against the Sultan of Tringanu, to prevent further injury being done to British interests, and that for this purpose, under the orders which he had received from the Governor General of India, Her Majesty's ship "Scout," with the steam gun-boats "Tonze" and "Coquette," had left for Tringanu.

The manner in which Captain Corbett, the senior officer in the Straits, proceeded under his instructions, are detailed in the enclosures numbered 34.

Meanwhile, the Siamese war steamer, "Alligator," for the purpose of conveying Sultan Mahomet to Bangkok, had left on the 17th of November. The steamer "Chow Phya" arrived here on the night of the 22d of November from Singapore, and the information of the occurrences, as communicated to me by the Governor of Singapore, were transmitted to the Siamese minister.

I have the honour to send herewith a copy of the letter which I received as answer. His Excellency observes that the Minister of Foreign Affairs would, previous to the departure of the mail, address a letter to your Lordship on the subject of these untoward circumstances, which, I fear, may lead to a change in those friendly feelings which I have so frequently attested, that I thought to exist between the sovereigns of Siam and Her Majesty's Government. It does not behove me to form an opinion with regard to the measures the Governor of Singapore has taken. I must leave this to much higher authorities, from the documents which will be placed before them; but I cannot help repeating that I regret that these occurrences have taken place.

Mr. Knox, the interpreter of this Consulate, has recently visited the Malay Peninsula, and for the information of Her Majesty's Government, has furnished me with a memorandum, which I have the honour to enclose.

Enclosure 35.
The Kalahome to Sir
Robert Schomburgk,
25 November.
Enclosed herewith.

Enclosure 36.
Mr. Knox's Memorandum.

Enclosure 5, in No 37.

Sir Robert Schomburgk to his Majesty the Major King of Siam and Sovereign of Laos; dated Bangkok, 12 August 1862.

Sire,

WHEN I had the honour, in company with Captain Hay of Her Majesty's steamer "Beagle," to call upon your Majesty, I mentioned the apprehensions which were felt by Colonel Cavenagh, the Governor of Singapore, respecting the presence of Mahomet, ex-Rajah of Lingga, at Tringanu and Kalantan. Your Majesty declared that no political measure was connected with his having been sent by a Siamese ship of war to these States, and should the ex-Rajah enter into intrigues and cause disturbances, your Majesty would send there an armed force to quell the disorder, and have the ex-Rajah seized and conveyed to Bangkok.

I have conveyed these expressions of your Majesty to his Honor the Governor of the Straits Settlements, and regret to say that they have by no means calmed the apprehensions which he entertains, and I have now to mention that nothing less than the recall of the ex-Rajah from those states will restore confidence.

Colonel Cavenagh points to the 12th Article of the Treaty of the 20th June 1826, which expressly stipulates that Siam shall not go and obstruct, or interrupt, commerce in the States of Tringanu and Kalantan. The Governor of the Straits Settlements has no hesitation to assert, that if the ex-Rajah of Lingga be permitted to reside there, obstructions and impediments will take place to the detriment of the interests of Her Majesty's subjects who trade there. In support, he transmits to me copies of two letters, of which I have the honour to enclose transcripts for your Majesty's information, which point evidently to the ambitious designs that the ex-Rajah entertains.

The matter has now taken such a serious turn, that I have seen myself obliged to report on the subject to Her Majesty's Principal Secretary of State for Foreign Affairs, while Colonel Cavenagh has fully informed his Excellency the Governor General and Viceroy of India of these circumstances.

Your Majesty has hitherto honoured me with great consideration, for which I feel grateful. You have permitted me to address your Majesty on any matter which concerned improvements for the sake of commerce in general, and the welfare of Her Majesty's subjects and other foreigners residing here. Under such an impression, I now write to your Majesty to point out the doubtful policy by insisting upon the residence of such a person as the ex-Rajah of Lingga is denounced to be at a state where it is feared his unruly character may give rise to combinations that may lead to a rupture of the friendly feelings which have hitherto existed between Great Britain and Siam, and which have led to the increase of commerce and the prosperity of the country over which your Majesty rules.

I have considered it my duty to transmit to his Excellency the Praklang a copy of the Despatch and its enclosures (in translation) which I have received from the Governor of Singapore. I beg to repeat to your Majesty that I sincerely trust the British Government will have no reason to insist further upon the ex-Rajah's recall from the Malay States, and that your Majesty will give the requisite orders for his speedy return to Bangkok.

Enclosure 6, in No. 37.

The King of *Siam* to Sir *Robert Schomburgk*, Her Britannic Majesty's Consul for *Siam* ; dated Royal Residence, Grand Palace, 16 August 1862.

Sir,

I HAVE received to-day afternoon your letter under the date of 14th instant, enclosing the copy of letter from the Lieutenant Governor of British Straits Settlements.

Sic orig.

In reply, I beg to say briefly that you shall hear from Chow Phya Sri Suriwongs, the President of Malayan affairs here, and witness all copies of correspondences in his hand relating to the Sultan Mahomood, the ex-Rajah of Linga, whom we know as the only a travellers and relative person of the Rajah of Tringanu ; but in consequence of such the suspect, the Siamese Government, I am sure will make good preparation so as to tranquill such the suspect as soon as possible. There is a copy of our Government's letter and order drafted to be written to the Rajah of Tringanu by his messenger, Me Urang Cayol, who is now here, having taken passage on board our steamer "Conqueror" on last month. I wish you to read it, as it has been prepared by our Government previously to suggestion from you now.

Enclosure 7, in No. 37.

Sir *Robert Schomburgk* to his Majesty the Major King of *Siam* and Sovereign of *Laos* ; dated British Consulate, Bangkok, 16 August 1862.

Sire,

I HAVE always possessed so much confidence in all the measures which your Majesty takes in regard to the kind relations which have existed between my Sovereign and your Majesty, and the welfare of their respective subjects, that I knew I had merely to represent the suspicions that are entertained by the Governor of Singapore, in order to induce your Majesty to calm unnecessary apprehensions.

I am still of opinion, if your Majesty permits me to say so much, that the easiest solution of the question would be by your Majesty desiring Sultan Mahomud, the ex-Rajah of Linga, to return to Bangkok. Such a step would at once remove all suspicions ; nor would I give such an advice to your Majesty, were I not in my own mind fully persuaded that such is the best measure for the welfare of the country over which the Omnipotent has placed your Majesty to rule. While, at the same time, the continuance of those friendly feelings which under your Majesty's reign have always existed between Great Britain and Siam will not be endangered.

I thank your Majesty very much for the letter which you have so kindly addressed to me under this date.

Enclosure 17, in No. 37.

Sir *Robert Schomburgk* to his Excellency *Chaw Phya Kalahome, &c.*, Prime Minister of *Siam* ; dated British Consulate, Bangkok, 17 September 1862.

Sir,

I HAVE the honour to forward to your Excellency a Despatch from the Bandaharah of Pahang to his Honor the Governor of Singapore, as also a Despatch from the latter to the Rajah of Tringanu.

By this correspondence your Excellency will perceive that disturbances have already broken out in the province of Pahang, and that there are strong grounds for suspecting that Sultan Mahomet is the person who instigated the attack complained of.

As I have already spoken to your Excellency on the subject of the residence of Sultan Mahomet in the territories tributary to Siam, it is needless for me to repeat the arguments then used : the more so, as you informed me that you had written to the Rajah of Tringanu, recommending him to send out of the provinces under his jurisdiction a person so likely to get him into trouble. I have now, therefore, merely to request your Excellency to see that the advice which you so wisely gave be attended to with as little delay as possible.

I would also draw your attention to the conduct of Inchi Wan Ahmed, the leader of the party that entered the province of Pahang, as it is very desirable that strong measures should be taken to prevent such proceedings in future.

Enclosure 18, in No. 37.

Chow Phya Sri Suriwongs to Sir Robert Schomburgk, Her Britannic Majesty's Consul; dated Bangkok, 24 September 1862.

Sir,

I RECEIVED your letter enclosing me a copy of the letter of the Bandahara of Pahang to his Honor the Governor of Singapore, and a copy of the letter of his Honor to Phya Tringanu, the contents of which are understood, and give me uneasiness.

I have written a letter to Phya Tringanu again, to be sent by the vessel of Rajah Mudah of Tringanu, which came here to trade, and which will leave for Tringanu to-morrow.

I beg to hand you herewith a copy of the said letter.

Enclosure 20, in No. 37.

The Governor of *Prince of Wales Island, Singapore and Malacca*, to Her Britannic Majesty's Consul, Bangkok; dated Singapore, 22 September 1862.

Sir,

WITH reference to the correspondence relative to the return of the ex-Sultan of Linga to Tringanu, and the subsequent attack made upon the neighbouring State of Pahang, I have the honour to annex, for your information, an extract from a Despatch, No. 809, dated 30th ultimo, from the Secretary to the Supreme Government in the Foreign Department, containing an expression of the sentiments of his Excellency the Governor General in Council as to the course pursued in the above matter by the Siamese Government.

Enclosure 25, in No. 37.

Sir Robert Schomburgk to his Excellency Chao Phaya Praklang; dated British Consulate, Bangkok, 23 October 1862.

Sir,

YOUR Excellency is no doubt aware that serious complaints have been addressed to me by Colonel Cavenagh, the Governor of the Straits Settlements, against Sultan Mahomet, the ex-Sultan of Linga, who, expelled from Linga by the Dutch authorities, in consequence of his restless and intriguing character, found first an asylum in Bangkok, and was afterwards sent in one of his Siamese Majesty's ships to Tringanu. Previous to his arrival there, he was joined at Kalantan by Inchi Wan Ahmed (against the authoritative Government of Pahang) with eight war prahus.

The motives of the visit of the ex-Sultan, although it had been alleged such arose only from filial attachment to his mother, who was residing with her brother, the Sultan of Tringanu, were suspected by the Governor of Singapore, who, it seems, had received information that the ex-Sultan of Linga intended to conspire with Inchi Wan Ahmed, in order to disturb the peace of the Malay State of Pahang, an event which in reality has since taken place, the attack having been made from the side of Tringanu.

I had an interview with his Excellency the Kalahome, on the 30th of September last, when I openly stated to him the apprehensions entertained by Colonel Cavenagh, and that, foreseeing difficulties should Sultan Mahomet remain at the Malay Peninsula, he had asked for instructions from the Governor General of India, with regard to such measures as he should adopt.

I stated to the Kalahome that the proceedings of Colonel Cavenagh had been approved of by the Governor General of India, and that he had been desired by his Excellency to protect the interests of Her Britannic Majesty's subjects engaged in commerce with that part of the Malay Peninsula, which Sultan Mahomet is said to have involved in war, spreading bloodshed and destruction of property.

Considering the commercial relations between the Straits Settlements and Pahang, principally as regards the working of the tin mines, for which considerable capital has been advanced by residents of the Straits Settlements, the Governor, as already observed, acting under the instructions of the Governor General of India, considers it now incumbent upon him to use such measures as may to him appear most expedient for the protection of these interests.

I should deeply regret if the intrigues and machinations of apparently so turbulent a spirit as Sultan Mahomet is described, should lead to a change of those friendly feelings which have prevailed since Her Majesty and the Kings of Siam entered into a treaty, and existed already long previous to that act; still it is evident, from the tenor of the Despatches I have received from Governor Cavanagh, that except Sultan Mahomet be removed from those States of the Malay Peninsula under the dominion of the Kings of Siam, or over which they exercise suzerainty, such may probably be the case.

When, under the stipulations of Colonel Burney's treaty, the Siamese Government applied to the British Government for the removal of the ex-Rajah of Quedah from Pinang, his

residing there being considered prejudicial to the Siamese interests, the British Government made forthwith the necessary arrangements for his removal. Now, as the presence of the ex-Sultan Mahomet at the Malay Peninsula is considered injurious to British interests, their Majesties the Kings of Siam can no otherwise but follow the precedent given to them, and remove ex-Sultan Mahomet to some other place than any of the Malay States, thereby giving a proof of their wish to maintain the friendly feelings that have hitherto existed between the two Governments.

I request your Excellency will have the goodness to place the contents of my present Despatch before his Majesty the Major King.

Enclosure 26, in No. 37.

Chow Phya Phraklang, Minister for Foreign Affairs, to Sir *Robert H. Schomburgk*, Her Britannic Majesty's Consul; dated Bangkok, 29 October 1862.

Sir,

I HAVE the honour to acknowledge the receipt of your Despatch of the 23d instant, informing me that the Governor of Singapore had written to you referring to the residence of Sultan Mahomet at Tringanu, and his joining Inchi Wan Ahmed to disturb Pahang. The contents of your letter have been understood, and have been presented to his Majesty the King of Siam. His Majesty was pleased to say that formerly Sultan Mahomet was under the Dutch, who expelled him from Linga, from whence he went to live in Rhio, Singapore, and Pahang, where he resided for three years, after which he went to Tringanu, because the Rajah of Tringanu is his uncle; when the Songkra boats went to Tringanu, he took a passage in one of them to Bangkok, where he lived for several months, and then took leave of his Majesty to go back to Tringanu. On the "Illustrious Conqueror's" starting on Government business for Ligore and Singora, he was sent in that vessel as far as Tringanu, from whence he had come; since the Governor of Singapore perceives that Sultan Mahomet's residence in Tringanu will be the cause of creating a disturbance in Pahang, and the Singapore traders will thereby suffer losses; he therefore desired that Sultan Mahomet be sent away from Tringanu in like manner as, at the time when the Rajah of Quedah fled to Penang, the Siamese requested the English to send him away from Penang to prevent him from again disturbing Quedah. The English consented to send him from Penang.

Regarding the above matter, his Majesty and the Ministers respect the friendship that has always existed with the English, and wish to preserve it without blemish; should they send an officer with a steamer to take Sultan Mahomet back here, Sultan Mahomet not being a Siamese subject, we do not know whether he will consent to come quietly or not, and the Rajah of Tringanu has not yet written to us as to what he thinks on the subject.

If a Siamese war vessel arrives at Tringanu, and Sultan Mahomet becomes aware that he must come to Bangkok, and fearing he might be confined here, he would probably flee to Inchi Wan Ahmed within those territories of Pahang which belong to him (Inchi Wan Ahmed), it would be universally suspected that the Siamese had sent to instigate Sultan Mahomet to join Inchi Wan Ahmed in creating further disturbance in Pahang, and there will be no end to suspicions and doubts; besides which, in the N.E. monsoon, vessels cannot anchor any length of time at Tringanu, as you are aware of. But if you think it desirable that Sultan Mahomet be sent for at once, I beg that one of the consular officers would go there also as a witness, and I shall send a Siamese man-of-war, because I fear matters will be as I have stated. I would much prefer to wait the answer of the Rajah of Tringanu, which cannot now long be delayed. I therefore trust you will take this matter into consideration.

I now enclose a copy of his Excellency the Kalahome's letter to be sent to the Rajah of Tringanu.

Enclosure 27, in No. 37.

Chow Phya Argga Maha Sena Dhi Pati Ahpaij Biriya Paru Krom Bahu Samuha Phra Kalahome to *Phya Bijay Bhupende Narende Bhacty Sri Sultan Mahomut Ratne Raj Patende Surinde Rauruangsah Phya Tringanu*; dated Bangkok, 29 October 1862.

SIR ROBERT SCHOMBURGK has written to Chow Phya Rawewang Maha Rosa Dhi Bodi, the Minister for Foreign Affairs, stating that ex-Sultan Mahomet, whom the Dutch expelled, came and lived in Bangkok five or six months: after which, his Majesty sent him to Tringanu in a steamer. That on his arrival at Tringanu he joined Wan Ahmed to create a disturbance in Pahang. That at the present time disturbances have actually taken place in Pahang. The people of Pahang borrowed money from those of Singapore to work the tin mines: it is feared that, in the event of a disturbance in Pahang, the people of Singapore will be sufferers, Siam and England being on friendly terms. When the Rajah of Quedah rebelled against Siam, and fled to Penang, a British territory, the English consented to send

send away the Rajah of Quedah from Penang. At the present time the English request the Sultan Mahomet be sent away from Tringanu, the same as the English did in the case of the said Rajah of Quedah.

The Consul having stated as above, Chow Phya Rawiwiwong Maha Rosa Thi Bodi communicated the same to his Majesty the King of Siam. His Majesty was pleased to say, when Sultan Mahomet was about to leave Bangkok, the Rajah of Tringanu wrote to Chow Phya Longkla, saying that Sultan Mahomet's mother was anxious to see Sultan Mahomet, and requested that he would return to Tringanu. His Majesty seeing that Phya Tringanu was the uncle of Sultan Mahomet, and his mother and many of his people were in Tringanu, therefore sent him there, and sent instructions to Phya Tringanu to take care of him and to provide for him and his people comfortably. Phya Tringanu wrote in reply that he had taken care of Sultan Mahomet, and would prevent him from doing anything improper. Now Sultan Mahomet's residence in Tringanu is the cause of uneasiness, and of doubt and suspicion, to Colonel Cavenagh, the Governor of Singapore, who says that Sultan Mahomet has joined and instigated Wan Ahmed to create fresh disturbances in Pahang, and will be the means of the Singapore traders suffering losses. Sir Robert Schomburgk has therefore written to request that Sultan Mahomet be sent away from the territories of Tringanu, so that there may be an end to all doubts. The English and Siamese cherish friendly feelings towards each other. When the neighbouring British Government are displeased with Sultan Mahomet, we must endeavour to prevent any change in our friendly relations. Sultan Mahomet was never a Siamese subject, but went to reside in Tringanu, when this matter in connexion with him and Pahang arose. Pahang is not a British territory, and matters thus happening through the bad fortune of Sultan Mahomet, which made the Governor of Singapore think that he has been the cause of Wan Ahmed's disturbances.

Let Phya Tringanu insist upon Sultan Mahomet's leaving Tringanu. He can go wherever he pleases; or if he has no place to go to, and wishes to come to Bangkok, let Phya Tringanu inform me without delay, so that I shall send a vessel for him and his family; or if Phya Tringanu wishes to detain him in the meantime in Tringanu for any reasons, he must write and inform the Governor of Singapore of the same, so that there may be no cause for doubt.

Should we send a steamer at present, we do not know how Phya Tringanu and his relatives have decided upon doing, and we do not know anything relating to affairs in Pahang, and therefore fear that the Bandaharah and the people of Pahang will suspect that the Siamese have sent a man-of-war to assist Sultan Mahomet and Wan Ahmed to make disturbances, and will find some new matter to communicate again to the Governor of Singapore. We therefore have delayed sending a steamer; besides, at this season the N.E. monsoon blows strong, the entrance of the Tringanu river is closed, and there is no shelter for vessels to anchor. I therefore send one copy of this letter *viâ* Singapore, and another by Singora, both being of the same tenor.

Written in Siamese and in Malay.

Enclosure 36, in No. 37.

MEMORANDUM by Mr. T. G. Knox on the present state of affairs in the Malay Peninsula.

THE provinces of the Malay Peninsula tributary to Siam are Ligore, Singora, Patani, Kalantan, Tringanu, and Quedah. The population of Ligore and Singora profess the Buddhist religion, while that of the other provinces is almost entirely Mahometan.

Ligore was at one time a state of considerable power, and, if we are to believe the Siamese traditions, was first conquered by them in the year A.D. 1008. Since then it has rebelled several times; the last occasion was in 1792. It is now, however, entirely subject to Siam, and differs but little from the provinces of Siam Proper, with the exception that its government is hereditary; Singora is in the same position. The rulers of both these provinces are Chow Phrayas, and exercise authority over the Malay States, Kalantan and Quedah being under Singora, whilst Tringanu and Patani are subject to Ligore.

It appears to have been the policy of the Siamese to interfere as little as possible with their tributary Malay States; the only material advantage which they desire from them is a golden tree, which the chiefs of those provinces send every three years to the King of Siam in token of his suzerainty.

Tringanu is the most southern of the provinces tributary to Siam on this side of the Malay Peninsula. Its population is about 40,000. The ruler is called Sultan, and is descended from a long line of princes. This province was never conquered by the Siamese, but put itself under the protection of Siam about 100 years ago.

Pahang, which lies to the southward of Tringanu, contains a population of about 15,000. The ruler is called Bandaharah (Anglicé, treasurer), and though now virtually independent, was formerly subject to the Sultan of Johore. Wan Ahmed is the brother of the present Bandaharah. And as the Malays have never recognised the right of this latter to rule over them, it not having been formerly an hereditary government, his ancestor being merely the deputy to the Sultan of Johore, constant disputes have taken place between them, the

Bandaharah claiming the whole, while Wan Ahmed insists on his right to a part of the province.

The Bandaharah having lately married into the family of the Tumongong of Johore, has added considerably to his power; but Wan Ahmed is said to be the more popular man of the two.

The Tumongong (Anglicé, chief magistrate) of Johore, is the descendant of the Tumongong, who, together with the Sultan of Johore, ceded (or rather sold) Singapore to the British. At that time there was a dispute as to who was to be installed Sultan of Johore, which included to the north of the line the petty provinces of Jompole, Sungie Ujong, Tremenant, Rumbowe, Johole, Jellege, Segamet, Moar, Johore, and Pahang. The then late Sultan Mahomet had left two sons by different mothers, who claimed an equal right. Sir Stamford Raffles had Tuanga Long, one of the sons, brought from Rhio to Singapore; and he having signed the cession of the island to the British, was by them recognised as Sultan of Johore. The other brother was taken in hand by the Dutch, and from him is descended the ex-Sultan of Linga.

Sir Stamford Raffles evidently intended to restore to Tuanga Long the power formerly possessed by his father, but did not remain long enough to carry his intentions into effect. The consequence was, that he and his descendants sank into indigence.

In 1840, owing to the discovery of Gutta Percha, it became necessary to have a ruler of some power in Johore, and the then Governor (Bonham) finding the descendant of the Tumongong likely to prove more useful than the heir of the Sultan, gave the former considerable assistance in acquiring power over the inhabitants of Johore. This state of affairs continued until 1855, when the Tumongong was recognised as virtual ruler of that province.

The consequence of this policy has been, that the Malays of that part of the peninsula have never recognised the right of the chiefs who now rule over them, and hence the constant disputes of Pahang and other places.

The Siamese Minister for Foreign Affairs to the Right Honourable the Earl Russell, K. G., Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c. &c. &c.

My Lord,

Dated Bangkok, 27 November 1862.

I HAVE the honour to inform your Lordship, that when the Siamese Ambassadors visited England on a friendly mission to the British Court, they requested that in any matters of difficulty or doubt they might be permitted to advise with the British Government in London. They were informed, that in any such matters the Siamese were to write through the British Consul at Bangkok, who would forward their Despatches, and an explanation would be sent out to them through the same channel.

In the present instance, Sultan Mahomet, ex-Sultan of Lingah, whom the Dutch deposed some time ago, went to Tringanu, and from thence took a passage in one of the Singora cruising vessels to Bangkok, in July 1861, and at an audience of his Majesty, the first King of Siam, informed his Majesty that he and his ancestors had been sultans of Lingah; but the Dutch being displeased with him, sent him out of his country. He then took up his abode at Rhio, and afterwards at Singapore and Pahang: in the latter place he lived three years. From Pahang he went to Tringanu, and as the rajah of that place is his maternal uncle, he came to Siam to pay his respects to his Majesty. His Majesty, from courtesy, ordered a suitable place of residence, and provided for him in accordance with his position, as a Malayan rajah, on a visit to Bangkok.

He remained in Bangkok 11 months; and in June last took his departure to return to his mother at Tringanu. As a Siamese steamer was then about to start on a cruise to Ligore and Singora, a passage was given to him in her as far as Tringanu.

In August last Her Britannic Majesty's Consul at Bangkok sent me copy of a letter from the Governor of Singapore, stating that the ex-Sultan of Lingah, in going to Tringanu, had instigated Wan Ahmet to fresh disturbances in Pahang, and requested the Siamese Government to use measures to quell those disturbances.

The Siamese Government sent instructions to the Rajah of Tringanu, and replies to Sir Robert Schomburgk, Her Britannic Majesty's Consul, on four different occasions, the nature of which will be seen by referring to the correspondence, copies of which Sir Robert Schomburgk informs me will be sent by this opportunity to your Lordship.

On

On the 6th instant, Her Britannic Majesty's Consul wrote me, handing copies of letters from the Governor of Singapore, and stating that the Siamese must send a vessel to bring back the ex-Sultan of Lingah without fail.

The Siamese Government submit, that as the ex-Sultan of Lingah is a Dutch subject, the demand that the Siamese should send a steamer to bring him here, and take charge of him, because of the unsettled condition of the small State of Pahang, which is not a British territory, is, to say the least, most unjust. But the Siamese Government, not wishing in any manner that there should be the slightest misunderstanding, requested me to write in reply, that the steamer "Alligator" would be despatched for the ex-Sultan of Lingah, but that vessel not being in readiness to start at once, it would require some days to put her in a state to proceed. All this was fully explained in that letter.

On the 17th instant the steamer "Alligator" left this for Tringanu; and on the 24th instant Her Britannic Majesty's Consul wrote me, handing copies of documents from the Governor of Singapore, in which the Siamese Government are informed that the Governor of Singapore had in the meantime sent vessels of war to Tringanu for the ex-Sultan of Lingah; and on not securing his person, had bombarded the town on the 11th instant, before the letter of Her Britannic Majesty's Consul, with the reply of the Siamese Government, could reach Singapore.

The recent assault upon Tringanu has been entirely occasioned through the disturbances in Pahang, which have been going on for, more or less, some two years, caused by Inchi Wan Ahmet and his brother, the Bandahara of Pahang, fighting for the possession of that territory.

The statements of the Bandahara, that the inhabitants of Pahang suspect the ex-Sultan of Lingah as instigating Inchi Wan Ahmet, and that the Rajah of Tringanu is favourable to the cause of Inchi Wan Ahmet, have been made solely on the part of the Bandahara of Pahang, and his relative the Tumongong of Johore, through his agents, Messrs. Paterson, Simons & Company, of Singapore; but on the parts of the Sultan Mahomet and the Rajah of Tringanu, their statements have not been heard, so the above assertions are not reliable.

The bombardment of Tringanu, by authority of his Highness the Governor of Singapore, has been the cause of much alarm to the Siamese Government, as they were of opinion, that, having concluded a treaty with a powerful nation like Great Britain, who had appointed a Consul at Bangkok, they could in any difficulties advise freely and confidentially with him, and thereby avoid any misunderstanding; and consequently have always felt grateful to the British Government, who they are aware entertain friendly sentiments towards Siam; they therefore were under the impression that they were beyond such calamities as the recent one. I trust your Lordship will give this matter due investigation, as the Siamese Government look up to the British for assistance and advice in matters of a like nature, brought about by other powers.

(L.S.) *Chow Phya Phraklang*,
Minister for Foreign Affairs.

(No. 41.)

Sir *Robert Schomburgk* to the Earl *Russell*; dated British Consulate, Bangkok,
16 December 1862.

My Lord,

I HAVE the honour to inform your Lordship that Commodore Lord John Hay, on board of Her Majesty's steam frigate "Odin," anchored at the bar of the Menam, and proceeded from thence in the "Coquette," screw steam-sloop, to Bangkok, where he arrived on the 11th of this month.

His visit was principally caused by the late occurrences in Tringanu, and to give further explanations on the subject, if any should be required by the Siamese Government.

The Commodore was received with marked attention by the Siamese authorities, and had an audience of the first King, who studiously avoided to touch upon the differences that have arisen between the British Government at the Straits Settlements, and the Sultan or Rajah of Tringanu.

But the minister informed the Commodore that the Siamese Government steamer "Alligator" had been sent to Tringanu for the purpose of conveying the ex-Sultan of Lingga to Bangkok.

Since the departure of the "Alligator," on the 17th of November last, no information has been received of her, and there are apprehensions entertained that she has foundered at sea.

Your Lordship will observe from Enclosure No. 1, that the ex-Sultan of Lingga has fled from Tringanu, and may reappear to give new troubles.

Hard and severe as the lesson is which the inhabitants of Tringanu have received in this instance, it appears that in order to prevent greater evils, the bombardment of the town of Tringanu was considered necessary by those who were in command of the expedition.

This event, trist as it is, in consequence of the lives lost of innocent people, and the destruction of property, has not produced on the part of the Major King, or the Siamese Government in general, any change in the friendly feelings they profess towards Her Majesty and Her Government. There can be no doubt they deeply deplore that the measures at Tringanu had to be adopted; but as a letter to that effect has been addressed to your Lordship on the part of the Siamese Government, I refrain from further dwelling upon it.

(No. 44.)

Sir *Robert Schomburgk* to the Earl *Russell*, dated Her Britannic Majesty's Consulate, Bangkok, 18 December 1862.

My Lord,

IN continuation of my Despatches, Nos. 37 and 41, I have the honour to enclose a further communication I have received from the Governor of the Straits Settlements relative to the bombardment of Tringanu, with the reply of the Kalahome on my submitting the same to his Excellency.

(No. 45.)

Sir *Robert Schomburgk* to the Earl *Russell*, dated Her Britannic Majesty's Consulate, Bangkok, 31 December 1862.

My Lord,

IN continuation of my Despatches, Nos. 24, 28, 37, 41, and 44 of this year, I have the honour to enclose copies of further correspondence furnished me by his Excellency the Kalahome.

They consist of (Enclosure 1) a letter from the Kalahome to the Rajah of Tringano, mentioning the charges of the Governor of Singapore against him, and directing him to send Sultan Mahomet to Bangkok in Her Majesty's ship "Alligator."

Enclosure 2. The Rajah of Tringano's reply to the Kalahome's letter, giving explanations as to the charges against him, narrating the proceedings which immediately preceded the late bombardment, and stating that he had directed the Captain of the "Alligator" where Sultan Mahomet (who had fled from Tringanu at the time of the bombardment) was to be found.

Enclosures 3 and 4 are letters from the Rajah of Tringanu to the Captain of the "Alligator," and to the Royal messenger on board that vessel, desiring them not to leave without Sultan Mahomet.

Enclosure 5 is the report of Captain Ames of Her Majesty's ship "Alligator," detailing that he had met Sultan Mahomet at a place named Bessoo, some distance from Tringanu, and found him willing to come to Bangkok, but that after he had made arrangements to do so, the dangerous surf rendered it impossible for him to embark; that, after waiting some time without improvement in the weather, he had been obliged to return to Bangkok.

Enclosure

1.
Rajah of Tringanu
to Chao Phya
Kalahome, No-
vember 17.
See page 49.

1.
Colonel Cavenagh,
December 4, and four
enclosures attached.
See page 44.

2.
His Excellency the
Prime Minister of
Siam, December 18.
See page 48.

1-8.

1.
Chao Phya Kalahome
to the Sultan of
Tringanu.
16 Nov. 1862.

2.
Rajah of Tringanu to
Chao Phya Kalahome.
26 Nov. 1862.

3.
Rajah of Tringanu to
Captain Ames.
15 Dec. 1862.

4.
Rajah of Tringanu to
Phra Nurak Jotha.

5.
Capt. Ames to Chao
Phya Kalahome.
December 1862.
See page 51.

Enclosure 6 is the reply of the Rajah or Sultan of Tringanu to the Governor of Singapore's letter of the 2d September, copy of which has been already forwarded to your Lordship in my Despatch, No. 37. In this reply the Sultan of Tringanu denies all the charges against him and Sultan Mahomet, inviting investigation on the spot.

Enclosure 7 is a Despatch from the Governor of Singapore to the Sultan of Tringanu, which I, for the first time, receive through the Siamese Government.

Enclosure 8 is a letter from the Sultan of Tringanu to the Kalahome, sent overland, giving an account of his action in respect of the feud between Wan Ahmet and his brother, the Bandaharah of Pahang, and denying that he or Sultan Mahomet were in any way concerned therein.

Enclosure 1, in No. 45.

Chow Phya Kalahome to the Rajah of *Tringanu*, dated Bangkok, 16 November 1862.

A LETTER, with written instructions, relating to Sultan Mahomet, was sent by Orang Kayah on the 8th August last; another by Chee Ahmat, the Nacodah of Rajah Mudda's vessel; and another (in duplicate) *via* Singapore and *via* Sangora, in all three times; but as yet there has been no answer received to any of them.

On the 6th instant Her Britannic Majesty's Consul at Bangkok sent us a letter, enclosing a copy of a letter from the Governor of Singapore to him, and one from Messrs. Paterson, Simons & Co., merchants at Singapore, addressed to the Governor.

The Governor of Singapore states that there are disturbances in Pahang occasioned by Sultan Mahomet's residence in Tringanu, and you had covertly assisted Wan Ahmet or been guilty of a neglect of your duty, as a ruler of a friendly country, in allowing Wan Ahmet to make Tringanu the basis of his operations upon Pahang, and you thus acted upon the instigation of Sultan Mahomet, that if Sultan Mahomet were removed from Tringanu it would put an end to all doubts and complaints hereafter, and, therefore, if the Siamese Government be not desirous of preventing those disturbances, the Governor of Singapore must order the senior naval officer to proceed against Tringanu, and prevent your having power hereafter.

Messrs. Paterson, Simons & Co. state they had received a letter from the Bandaharah of Pahang, informing them that you had prohibited your subjects from sending rice and other provisions to Pahang, and the people employed in collecting tin and gold were in want.

As to the affairs of Pahang, it is well known the Bandaharah and Wan Ahmet have, for a long time past, frequently been at war together for the possession of Pahang, but nothing had ever been imputed to you as having favoured any party until the present occasion, when Sultan Mahomet went to reside in Tringanu. The Bandaharah and people of Pahang made frequent complaints to the Governor of Singapore, who, having only their statements, and also that of Messrs. Paterson, Simons & Co., has believed them, and has thus been incited against you and Sultan Mahomet. Therefore, should Sultan Mahomet be allowed to remain in Tringanu troubles might fall on the place; the nobles and people of Tringanu, and the neighbouring towns, would blame you as the cause of any misfortunes that might befall them, by your retaining your nephew, Sultan Mahomet. Even should you be determined not to favour Wan Ahmet, and endeavour to prove your innocence of the charges against you, it would not be universally believed, as disturbances have already taken place.

His Majesty having compassion on you and your people, and fearing troubles will come to your country, has ordered his steamer "Alligator," Captain Ames, with Phra Nurak Jotha, Royal Messenger, to convey back Sultan Mahomet to Bangkok, in order to prevent any troubles arising to Tringanu from the Governor of Singapore's determination to take away your power.

When the "Alligator" arrives at Tringanu, and Phra Nurak Jotha has delivered you this letter, you must send Sultan Mahomet on board at once, because, in the north-east monsoon the sea is too rough to allow the vessels anchoring off Tringanu for any length of time.

If after Sultan Mahomet has come to Bangkok, and affairs in Tringanu and Pahang are quiet, and the Governor of Singapore's doubts are at an end, you desire Sultan Mahomet should return to Tringanu, his Majesty will allow him to do so; but at present you must make him come away from Tringanu until such times.

I herewith enclose the following copies of letters for your information, viz. :—

From Her Britannic Majesty's Consul.

From Governor of Singapore to Her Britannic Majesty's Consul.

From Chow Phya Praklang to Her Britannic Majesty's Consul.

My letters to you *via* Singapore and Sangora.

6.
Sultan of Tringanu to
Governor of Singapore.

7.
The Governor of Sing-
apore to the Sultan of
Tringanu.
4 Oct. 1862.

8.
Phya Tringanu to Cha-
Phya Kalahome.
28 Oct. 1862.
See page 50.

Enclosure 2, in No. 45.

The Rajah of *Tringanu* to *Chow Phya Kalahome*, dated *Tringanu*, 26 November 1862.

WHEREAS on the 22d November last Phra Nurak Jotha came with the steamer "Alligator" to *Tringanu*, I received him with great honours. I know all the particulars of your Excellency's letters, to wit, that the Governor of Singapore had forwarded copies of the Bandaharah of Pahang's letters to Siam.

The substance of the letters of the Governor of Singapore is as follows: that at Pahang disturbances had arisen because Sultan Mahomet had reached *Tringanu*, and was aiding Wan Ahmed by collecting forces at *Tringanu* to go to Pahang.

Further, that I had forbidden the *Tringanu* merchants trading with Pahang, together with many other complaints.

His Majesty had, therefore, graciously sent Phra Nurak Jotha in the steamer "Alligator" to come and receive Sultan Mahomet, and take him back to Siam in order to settle the affairs of *Tringanu* as the Governor of Singapore suspected me, and was disposed to bombard *Tringanu* and diminish my power.

I most respectfully inform your Excellency about the complaints of the Bandaharah of Pahang. I do not see that Sultan Mahomet has any sympathy in the matter.

The inhabitants of Pahang lodged complaints to the Governor of Singapore that I had united with Sultan Mahomet to assist Wan Ahmat to attack Pahang. The Governor of Singapore had forwarded these complaints to your Excellency, whereupon your Excellency sent Nacodah Mat and Orang Kaya to learn the facts from me, in two letters. I wrote a reply to your Excellency; at that time the wind had partially subsided. I sent the letter to the Governor of Sangora to be forwarded to your Excellency.

Not long after the Resident Councillor of Singapore visited *Tringanu* with three steamers. He reached *Tringanu* on the 8th November last, about four o'clock in the afternoon, and brought letters from the Governor of Singapore.

The substance of the letter of the Governor of Singapore was, that he wished Sultan Mahomet to go on board of one of the war steamers, and they would deliver him up at Bangkok, because Sultan Mahomet had aided Wan Ahmet to make war upon Pahang without doubt.

I replied to the Resident Councillor that Sultan Mahomet was at *Tringanu*, because his Majesty the King of Siam had sent him here that I might protect him.

As the Resident Councillor brought me no letter from his Majesty the King of Siam, I did not dare deliver Sultan Mahomet up, fearing I might incur the displeasure of his Majesty.

Whereupon the Resident Councillor replied that he would be responsible for the displeasure of his Majesty. Upon this, I told Sultan Mahomet that I would send him in the Resident's vessel, as the Resident would convey him to Bangkok. Sultan Mahomet did not dare to accompany him, as he did not trust the Resident.

The Resident insisted on receiving the person of Sultan Mahomet from me; I begged to deliver Sultan Mahomet at Bangkok in one of my own vessels; the Resident would not consent, but insisted on receiving him from me.

Sultan Mahomet is a man of character and strength; if I attempted to execute this purpose by force, a quarrel would have ensued, and would have resulted in death; I would then render myself liable to his Majesty the King of Siam, and to the Resident also.

I wrote in reply to the Resident, and sent it to him on board his vessel, but there was no reply to it.

Many shots were fired into *Tringanu*, more than can be numbered. All the inhabitants of the town fled, and were dispersed, each seeking personal safety and escape. I and my family fled. At that time Sultan Mahomet also fled, not knowing whither to go.

On the day that Phra Nurak Jotha came, I had not yet returned to town; whither Sultan Mahomet had fled I did not know.

On a certain day I learnt that Sultan Mahomet was at Pasee, whereupon I informed Phra Nurak Jotha, and asked him to go and receive Sultan Mahomet with the steamer. I sent men with Phra Nurak Jotha, as I was at that time in much confusion, as your Excellency had heard that I had fled the enemy; therefore Phra Nurak Jotha went to receive Sultan Mahomet.

Your Excellency will be pleased not to suspect that *Tringanu* has broken off her allegiance, or that I will not remain under the jurisdiction of his Majesty the King of Siam. I do not by any means meditate a change that any other shall be my protector and refuge. His Majesty the King of Siam has long been my protector and refuge.

Having learnt that the Bandaharah of Pahang has forwarded complaints, I send this letter in reply to your Excellency's letter brought here by Nacodah Mat.

I respectfully communicate to your Excellency, with reference to the complaints of the Bandaharah of Pahang, that I prohibited *Tringanu* merchants from selling paddy and rice at Pahang. I objected to persons trading to Pahang, because many of the merchants who traded with Pahang complained to me that the sons of the Rajahs and Chiefs in Pahang, who made purchases from them, gave much trouble; the getting the price of the goods was likely to create disturbances. Whereupon, I replied that if there is danger of disturbances like these, do not at present go and trade in Pahang for fear that disturbances may

may arise in the contiguous provinces, and his Majesty the King of Siam might be displeased with me. Hence the inhabitants of Pahang were seeking occasions against me.

I beg your Excellency will take this matter into consideration, and also represent it to his Majesty the King of Siam.

Enclosure 3, in No. 45.

The Rajah of *Tringanu* to Captain *S. J. B. Ames*, Steamer "Alligator," the Sage who commands the Sea, &c., dated *Tringanu*, 15th December 1862.

After Compliments,

WE beg to inform our friend that, if he is desirous of doing us a kindness, we would ask him to detain the steamer in order to take away Sultan Mahomet, as his residence in my country makes one very uncomfortable. If we seize him by force with our own people, it would be without orders from his Majesty the King of Siam. We will therefore send some one to solicit him in a quiet manner, and he will doubtless go back to Siam to visit his Majesty the King of Siam. If our friend will wait until Sultan Mahomet goes, he will be doing us a favour. I have therefore confidence that our friend will wait and take him away with him.

Enclosure 4, in No. 45.

The Rajah of *Tringanu* to *Phra Nurak Jotha*, Royal Messenger, on board the "Alligator," dated *Tringanu*, December 1862.

WE beg to inform you that on a Saturday about noon a steamer arrived from Singapore, bringing us a letter from the Governor and one from the Resident of Singapore; stating, his Majesty the King of Siam was sending a steamer to take Sultan Mahomet back to Bangkok; if his Siamese Majesty's steamer arrived, we were to send Sultan Mahomet away in her, and if he did not proceed in that vessel, but remained in the vicinity of *Tringanu*, we would be made responsible for the consequences.

Now we confidently request you will arrange so as to place us beyond any evil that might befall us, by conveying Sultan Mahomet to Bangkok; for, if he is allowed to remain, I fear the displeasure of his Majesty the King of Siam. Should we use force to take Sultan Mahomet away, it would be acting without orders from his Majesty. We must therefore speak gently to him, in order to convey him to Bangkok.

We again beg you will have compassion on us, and endeavour to take Sultan Mahomet away with you, for if he remains here it will be the cause of discomfort to us.

Enclosure 6, in No. 45.

The Sultan of *Tringanu* to the Governor of *Singapore*. (No date in the original Malay copy.)

After Compliments,

THE statement in my friend's letter to me, collected from the complaint of the Bandaharah of Pahang, declaring that I connived with Sultan Mahomed to aid Wan Ahmed to contend at the sources of the streams of Pahang, that the men were numerous and Wan Ahmed in command, allude to my being the cause.

Regarding the matter complained of to my friend against me by the Bandaharah, I have explained to my friend on several occasions.

But as Wan Ahmed is still contending with his brother, my friend does not credit my previous statements; therefore let my friend consider these things well. If he has any thoughts, let me know them.

The accusation, that I made trouble in the location of the brothers, I have long since received from my friend. Is it right, my friend, to say, that I did not listen to him, and that I made much trouble in the provinces?

Further, the brothers Wan Ahmed and the Bandaharah are contending with each other; was it right that I should join them?

Further, my friend forbids my uniting with them in this matter. I complied with my friend's advice, as I saw matters as they stood.

The authorities at Pahang complained to my friend that Orang Kaya was a commander, and that Sultan Mahomet had made Tunku Long a commander, having in charge soldiers from *Tringanu*, Kumaman, and Dusnum, to the amount of 300 or 400 men, fully armed and equipped with 90 flint muskets and powder.

Let my friend consider these things candidly. Do not credit the people of Pahang; the truth or falsehood of the complaint is already known to my friend.

If it is as they complained, and as it was decided upon, I am in fault; if it is not as they complained, I have confidence in my friend that he will see the truth, and admit that men have slanderously and without cause accused me. I have no fellowship with either Tunku Long, who is now ill, or with Sultan Mahomet and Orang Kaya. If my friend wishes to know the truth, when my letter is received, let him send those in whom he has confidence to make investigations at Tringanu, or at Pahang, to ascertain whether any of my people are with Wan Ahmed, and you will see most effectually whether I am in fault, or whether Sultan Mahomet and Orang Kaya were present or not, will be made known.

This Orang Kaya was sent to Siam, and I was protecting Sultan Mahomed. If he had gone and made disturbances, as stated, his Majesty the King of Siam orders him to be sent back to Siam. At present Sultan Mahomed is innocent, and has committed no offence.

If Sultan Mahomed has committed any offence, a complaint will be sent to his Majesty the King of Siam.

The matter that the Bandaharah complains of, I confidently submit, is not as has been lodged with my friend.

The evils my friend has seen and heard so much of originated with the people of Pahang, who have maliciously, and without cause, accused me to my friend, to involve me in difficulties.

Enclosure 7, in No. 45.

The Governor of *Singapore* to the Rajah of *Tringanu*, dated *Singapore*, 4 October 1862.

After Compliments,

Sic orig.

ON instant we received our friend's letter of last month's date, the contents of which are understood.

It is the duty of all Rajahs who govern contiguous towns to prevent disturbances arising in the neighbouring places. As a stranger has been allowed to reside in our friend's territories, the present disturbances have arisen.

We now hear that our friend associates with many bad people, and Wan Ahmed, doing which is not consistent with propriety.

We have been truly informed, that Wan Ahmet's present attack upon Pahang is not by the instigation of any other but of the Sultan Mahomed.

Although our friend has not joined in this disturbance, it is as if my friend had caused the destruction of the country. Those who are under the control of my friend are of a malicious character, and are awaiting opportunities to make disturbances in Pahang, a peaceful country.

As my friend entertains projects of creating disturbances in that country, let me persuade my friend to abandon all such designs, that are evidently producing present commotions.

If Sultan Mahomet does not leave Tringanu, but remains longer, I will be compelled to perform an act that will prove disastrous to my friend.

Whoever is desirous of checking disturbances, and is true, I will perform an act that will be in accordance with my good-will, and which will promote the prosperity of the contiguous provinces.

Mr. *T. G. Knox* to Mr. *Hammond*, dated *Singapore*, 8 January 1863.

Sir,

I HAVE the honour to inform you, that having been summoned to appear before the Supreme Court of this settlement, in order to give evidence concerning a case of manslaughter which occurred at Bangkok, I have availed myself of this opportunity to get such information regarding the political state of the Malayan Peninsula as appeared to me to bear on the late events at Tringanu, and might be of interest to Her Majesty's Principal Secretary of State for Foreign Affairs. The memorandum which I appended to the documents relating to affairs in Tringanu, which was forwarded by Her Majesty's Consul in Siam, in November last, was written at the last moment, as it only then occurred to me that such a statement was necessary; and was, in consequence, I fear, somewhat imperfect. I trust, however, that the one which I have now the honour to enclose will be found more complete. I am further induced to forward this memorandum, as although the bombardment of Tringanu might have been allowed to pass over without much notice from those residing in this settlement, yet as it is closely connected with the question of the rights of the Sultan and Tumongong, those interested in that question, I have reason to believe are doing all in their power to bring the matter before the public. Without presuming to give any opinion on the policy pursued by the Straits Government, with regard to the status that has been given to the descendants of the Sultan and Tumongong, from whom this island

island was obtained, I cannot refrain from stating that to this policy I think may be attributed much of the present unsettled state of the Peninsula, and I fear that while this state continues, troubles similar to those which have lately taken place, will be of not unfrequent occurrence.

With a people so superstitious as the Malays, any interference with their laws and customs creates great excitement amongst those not only immediately concerned, but likewise throughout the whole race; and I very much doubt if it is in the power of their rulers to prevent the lower classes of the different provinces from assisting each other, when they consider that any attempt has been made to infringe on the rights of either themselves or their chiefs.

I trust that I have not committed an irregularity in addressing to you, sir, a document of this nature, at a time when I am absent from the consulate to which I am attached; and hope that even should such be the case, the motives which induced me to forward it will be a sufficient excuse.

MEMORANDUM respecting the present State of Affairs in the Malay Peninsula.

IN the year 1810 Mahomet, Sultan of Johore, Pahang, Rhio, Lingio, and their dependencies, died.

Sultan Mahomet married,—

1st. Junkoo Pootan, daughter of Abdool Majid Bandaharah of Pahang. She had no issue.

2d. Inchi Makoo, daughter of Inchi Japhar, a Bugis chief. Issue, Junkoo Houssain, *alias* Junkoo Long, for Soolong, first-born.

3d. Mariam, daughter of Bandaar Hassan, a Bugis chief. Issue, Junkoo Abdool Rahman.

4th. Junkoo Hamida, daughter of the Viceroy. Issue, a daughter, who died young.

These sons were legitimate, according to Malay law; but had No. 4 had a son, he would probably have ascended the throne in preference to his seniors, because of the more noble blood of the mother.

When Sultan Mahomet died, his eldest son, Junkoo Houssain, was absent at Pahang. The other son, Abdool Rahman, was recognised as Sultan by the Dutch, who at that time were anxious to get possession of Lingio.

In 1818 Colonel Farquhar made a treaty with Abdool Rahman, by which the latter granted permission to the British to trade in the dominions which had been subject to his father.

This treaty did not meet with the approval of Sir Stamford Raffles. He, finding that Abdool Rahman had become a vassal of the Dutch, and moreover that there was an elder brother who had a greater right to the throne, came to Singapore, sent for this brother, and with him concluded the treaty of 1819.

By this treaty Sultan Houssain was recognised as Sultan of Johore. It was also signed by the tumongong of the former Sultan. This tumongong, whose name was similar to that of the Sultan's brother, viz. Abdool Rahman, was living on the island of Singapore when Sir Stamford arrived there, and with him Sir Stamford commenced a treaty in the first instance; but finding that he did not possess sufficient authority, Sultan Houssain, as above stated, was sent for.

In the Malay code, "Sila Sala," the duties of the tumongong are defined as follows:—"It is this functionary's duty to inquire diligently concerning, and seek out persons who perpetrate crime; to prevent oppression, and to fine and punish transgressors. When the Sultan mounts his elephant, his place is at its head."

The translation of the inscription on the seal of the tumongong who signed the treaty of 1819 runs thus:—"The agent of Sultan Mahmood Shah is the Dattoo Tumongong, the radiance of the Rajah, son of the Tumongong, beloved by the Rajah. A. D. 1805-6."

The office of tumongong is not, strictly speaking, hereditary, though it appears usually to have been granted to one of the sons of the former Tumongong.

In 1824 the then Resident of Singapore, Mr. Crawford, made another treaty with Sultan Houssain and the Tumongong, by which the island of Singapore was ceded to the British.

The Tumongong Abdool Rahman died in 1825, and no successor has ever been appointed.

Sultan Houssain died in Malacca in 1836. His son Ali returned to Singapore in 1840, and was fully recognised as Sultan, in a notification signed by the Resident Councillor, and dated 15 September 1840.

In 1855 a treaty was made between the Sultan and the descendant of the Tumongong, henceforward called Tumongong, by which the former ceded to the latter the Province of Johore. This treaty was made under the auspices of the then Governor. The Sultan has

always repudiated it, stating that it was obtained from him under a threat that unless he signed it he would be confined in gaol for a debt he was unable to pay. The petty Rajahs of Johore, in a petition addressed to the Sultan, also refused to be bound by this treaty, giving as their reason that it was entirely at variance with the laws of the Malays.

The Province of Pahang in the year 1810, was in a similar manner as the Province of Johore, under the sway of Sultan Mahomet. The office of Bandaharah is thus defined in the Malay code: "He who rules the peasantry, the army, and those dependent on the State; his sway extends over all islands, and it is he who is the king's principal law officer." The translation of the inscription on the seal of office of Bandaharah Allee, who died in 1847, is: "The agent of Sultan Mahmood Shah is the Oatoh Bandaharah, the mouth-piece of the Rajah, son of the Bandaharah, beloved by the Rajah. A. D. 1805-6."

Bandaharah Allee died in 1847 leaving two sons; in his will he divided his possessions between them. The younger son, Inchi Wan Ahmed, being very young at the time of his father's death, the elder brother took possession of the whole; he also allied himself in marriage to the Tumongong of Johore.

During the last four years Inchi Wan Ahmed has repeatedly attacked his brother, in order to get back the Provinces left him by his father. He has hitherto carried on his operations during the north-east monsoon, knowing that at that season reinforcements sent by the Tumongong to the Bandaharah could be sent only with great difficulty.

In June 1862 the Tumongong of Johore and Bandaharah of Pahang made a treaty, defensive and offensive, in this settlement.

Shortly after this, the ex-Sultan of Lingin, the grandson of the third wife of Sultan Mahomet, arrived at Tringanu. Little can be said in favour of this man; he has no ability, employing the whole of his time in gambling and other discreditable amusements. However unwise it was of the King of Siam to send the ex-Sultan to Tringanu, I have no idea that he did it with any other motive than that of wishing to get rid of an expensive guest.

I have been unable to get any direct evidence either against the ex-Sultan of Lingin or the present Sultan of Tringanu. The captain of the Siamese steamer which took the ex-Sultan to Tringanu, declared to me that no boats accompanied him into that port. This captain is a British subject, and has, I imagine, no interest in the matter. With regard to the letter which the Chamber of Commerce addressed to the Governor of Singapore, urging warlike operations at Tringanu, I have heard many of the leading merchants of this place declare, that they were unaware that such a letter had ever been sent; while, curiously enough, I find that the Chairman of the Chamber is the mercantile agent, and the secretary, the legal adviser, of the Tumongong, who had such a deep interest in the matter.

It is, however, not improbable that Wan Ahmed may have got assistance from Tringanu, as with a people so superstitious as the Malays, any dispute regarding succession to a throne, is regarded by them almost as a question of religion; and Wan Ahmed would have little difficulty in getting assistance from those who considered him in the right, even though the Rajah of the Province should do all in his power to prevent such assistance from being given.

Thomas George Knox.

(No. 47.)

Sir Robert Schomburgk to the Earl Russell, dated Her Britannic Majesty's Consulate, Bangkok, 31 December 1862.

My Lord,

I HAVE the honour to enclose a Despatch from the Siamese Minister for Foreign Affairs to your Lordship, handed to me under flying seal.

Enclosure in No. 47.

Chow Phya Phraklang, Minister for Foreign Affairs, to the Right Honourable the Earl Russell, K. G., Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; dated Bangkok, Siam, 27 December 1862.

My Lord,

I HAD the honour of addressing your Lordship on the 27th November last, relative to matters connected with Tringanu. Since then Sir Robert Schomburgk, Her Britannic Majesty's Consul, has forwarded to me copy of a letter he has received from Colonel Cavenagh, Governor of Singapore, enclosing copies of letters from the Bandaharah of Pahang to the Governor of Singapore, and from the Sultan of Tringanu to the same gentleman.

On the 23d December the steamer "Alligator," Captain Ames, returned to Bangkok from Tringanu, with Phra Nurak Jotha, the Royal messenger, who informs me that he arrived off Tringanu on the 25th November, and had an audience of the Rajah of Tringanu, who informed him that Sultan Mahomet, the ex-Sultan of Linga, had fled, whither he knew not.

Two days after, they received information that Sultan Mahomet had taken refuge in Beesoo, within the territories of Tringanu.

The Royal messenger received his despatches from the Rajah of Tringanu, and took his departure for Beesoo, where he sought Sultan Mahomet for some days before he found him.

Sultan Mahomet gathered his family and followers, and was prepared to embark with them on board the steamer, but the surf on the coast being so great that it was impossible for him to leave the shore.

The steamer waited some 24 days, but Sultan Mahomet and his people were unable to come on board.

The Royal messenger then left word for Sultan Mahomet to proceed by land and remain at Sangora.

The Rajah of Tringanu sent us letters, copies of correspondence between him and the Governor of Singapore, which I have had translated into English and forwarded to Sir Robert H. Schomburgk.

I am astonished at the statement in the letter of Colonel Cavenagh to Her Britannic Majesty's Consul, to the effect that "Tringanu and Kalantan form no part of the territories of the Kingdom of Siam."

In regard to the above remark, I beg to bring to your Lordship's notice an event that happened in 1859 in connexion with a Singapore and Kalantan trader.

The Siamese Government, in conjunction with Sir Robert H. Schomburgk, settled the matter. This has been alluded to in one of my letters to Her Britannic Majesty's Consul.

Tringanu is dependent on Siam, and has paid tribute to her for the last 80 years; and on the demise of its rajahs the Siamese have invariably appointed the successors.

It is universally known that those provinces belong to Siam; and on the terrestrial globe presented by Her Most Gracious Majesty Queen Victoria, in the year 1855, Tringanu and Kalantan are laid down in green as part of the Siamese territories, but Pahang and Perak are laid down in yellow.

I am also surprised that the Governor of Singapore, in handing to Her Britannic Majesty's Consul copies of his letters to the Rajah of Tringanu, with the complaints of the Bandaharah of Pahang, did not send copies of all the Rajah of Tringanu's replies to him.

I have sent to Sir Robert H. Schomburgk copies of all the letters of the Governor of Singapore addressed to the Rajah of Tringanu, and the letters of the Rajah of Tringanu to the above gentleman.

I most respectfully request that your Lordship and the British Government will give this matter weighty consideration.

(L. s.) *Chow Phya Phraklang.*

Chow Phya Sri Suriwongs to Sir Robert H. Schomburgk, Her Britannic Majesty's Consul; dated Bangkok, 29 December 1862.

Sir,

I HAVE the honour to inform you, that the steamer "Alligator," Captain Ames, arrived here from Tringanu on the 23d instant, with Phra Nurak Jotha, the Royal messenger, who informs me he arrived off Tringanu on the 25th November, and had an audience of the Rajah of Tringanu, who informed him that Sultan Mahomet had fled, whither he knew not.

Two days after they were informed that Sultan Mahomet had gone to Beesoo, within the territories of Tringanu, adjoining Kalantan.

The Rajah of Tringanu sent us two letters, with copy of a letter from the Governor of Singapore to him; a letter of complaint from the Bandaharah of Pahang to the Governor; replies of the Rajah of Tringanu to the Governor of Singapore, and from that gentleman to the Rajah of Tringanu.

The Royal messenger, having received the above despatches from the Rajah of Tringanu, took his departure for Beesoo, where the Rajah sent a letter, with a letter for himself, and one for Captain Ames; in all, eight letters. At Beesoo Phra Nurak Jotha sought Sultan Mahomet some days before he found him. After meeting him, Sultan Mahomet gathered his family and followers, and was prepared to embark with them on board the steamer; but the surf on the coast being so great he was unable to leave the shore. The steamer remained some 24 days, but Sultan Mahomet and his people were unable to come on board. The Royal messenger then left word for Sultan Mahomet to proceed by land, and remain at Sangora.

I send, for your information, copies of the eight letters received from Phya Tringanu, and another from Captain Ames.

Copies of the letters of the Governor of Singapore to the Rajah of Tringanu, and from the Rajah to the same gentleman, sent herewith, were never sent by you to us. I beg you will consider over the contents of these letters.

Mr. *Hammond* to Under Secretary of State for India; dated Foreign Office,
30 May 1863.

Sir,

No. 16, 15 April.
2.

I AM directed by Earl Russell to transmit to you a copy of a Despatch from Her Majesty's Consul at Bangkok, enclosing copies of two notes which have been addressed to him by the Kalahome, relative to Mahomet Ali, the ex-Sultan of Linga. I am to request that you will lay the same before the Secretary of State for India in Council, and move him to favour Lord Russell with his opinion as to the answer which should be returned thereto.

Enclosure.

(No. 16.)

Sir *Robert Schomburgk* to the Earl *Russell*; dated British Consulate, Bangkok,
15 April 1863.

My Lord,

I HAVE the honour to forward copies of two Despatches, which have been addressed to me by his Excellency the Kalahome, relative to Mahomet Ali, the ex-Sultan of Linga.

(1.)

Sir,

Bangkok, 6 April 1863.

I HAVE the honour to inform you that the gun-boat, despatched for the purpose of conveying the ex-Sultan of Linga to this place, arrived here on the 4th inst. with the ex-Sultan of Linga on board, having found him at Beesoo.

(signed) *C. Phraya Sun Wong.*

Sir *Robert Schomburgk*,
Her Britannic Majesty's Consul.

(2.)

Sir,

Bangkok, 11 April 1863.

SINCE I had the honour of addressing you on the 6th instant, announcing the arrival here of the ex-Sultan of Linga, the Siamese Government has provided a residence for him and his followers, 78 in number, and also the requisites for their maintenance.

As the ex-Sultan is not a Siamese subject, and has now been removed from the Malay Peninsula and brought here at the request of his Honour the Governor of Singapore, to which the Siamese Government acceded, to prove its friendship towards that of Great Britain, I beg you will write to his Honour the Governor on the subject, and inquire what we are to do with the Sultan and his people; in what manner his Honour intends to dispose of them.

I also request you will further oblige me by addressing the Right Honourable the Earl Russell, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, on the same subject.

The expense for the support of the ex-Sultan and his people, together with that of his removal, will be great, and will be considerably increased on the arrival here of his wife and family, with their attendants; and as he has never been a subject of Siam, I trust the British Government will give this due consideration.

(signed) *C. Phya Sri Suriwongs.*

Sir *Robert Schomburgk*,
&c. &c. &c.

Herman Merivale, Esq., to the Under Secretary of State for Foreign Affairs;
dated India Office, 20 June 1863.

I AM directed by Sir Charles Wood to acknowledge the receipt of your letter of the 30th ultimo, enclosing communications from the Siamese Government to Sir R. Schomburgk, relating to the disposal and maintenance of the ex-Sultan of Linga, and inviting the opinion of Sir Charles Wood as to the nature of the answer that should be returned. In the absence of any communication on this subject from the Government of India, Sir Charles Wood cannot offer a decided opinion with respect to the reply to be given to Sir R. Schomburgk's reference; but it appears, from the papers already before him, that the ex-Sultan of Linga was residing in Siam, and was sent by the Government of that country from Siam to Tringanu, or, at all events, was given a free passage to that place. Against this act of assistance or encouragement, tending to disturb the peace of the Malayan Peninsula, the

the Governor of the Straits Settlements protested, and the ex-Sultan has now been carried back to Siam, and is in the custody of the Government of that country. It would seem, therefore, that the ex-Sultan is now in the position which he occupied before his departure from Siam; or that, if in consequence of what has passed, the Siamese Government now consider it necessary to retain him in custody, or under surveillance, lest he should again disturb the peace of the Malayan Peninsula, any embarrassment which they may thereby experience is the result of their own acts. In either case, it does not appear to Sir Charles Wood, from the information now before him, that any responsibility attaches to the British Government, with respect to the maintenance of the ex-Sultan of Linga.

PAPERS RECEIVED FROM THE ADMIRALTY.

EXTRACT, Lord *John Hay* to Secretary to the Admiralty; dated Her Majesty's Ship "*Odin*," Singapore, 21 November 1862.

Extract para. 6. I left Rangoon in Her Majesty's ship "*Odin*," and arrived at Penang on the 12th November. Hearing from Captain Corbett of his intended expedition against Tringanu, I at once proceeded to Singapore, finding there Captain Corbett, whose report upon the subject is herein appended, together with my observations on the same.

MEMORANDA relating to the Expedition against Tringanu.

"*Odin*," Singapore, 21 November 1862.

1. THE appended copy of his Excellency the Governor of the Straits Settlements' Despatch* to Her Britannic Majesty's Consul at Bangkok, states the amount of provocation given by the Sultan of Tringanu, which caused his Excellency to make the requisition to the senior officer in the Straits. Their Lordships will perceive, on perusal of Captain Corbett's report, that the coercive measures that ensued were carried out with much judgment and humanity. Although the immediate object of the expedition (the surrender of the ex-Sultan of Linga) was not attained, subsequent information received from Tringanu, proves that the Sultan has had a useful lesson; and the sudden disappearance of the ex-Sultan of Linga, as well as the discontinuance of interference with the affairs of Pahang, satisfactorily shows that the energetic policy of his Excellency the Governor of the Straits Settlements will be attended with the best possible results to the trade with that part of the Malay Peninsula. There is, unhappily, little doubt of the complicity of the Government of Siam in this unpleasant affair. There appears to have been more than even the usual amount of equivocation in the conduct of the Siamese Government throughout the matter. "*Coquette*" returned from Tringanu on the 19th instant, bringing a deprecatory epistle from the Sultan of Tringanu. The usual alarm has been manifested by the population consequent on the late bombardment, but confidence and trade will soon be restored to its old footing.

(signed) *John Hay*, Commodore.

(No. 95.)

My Lord,

"*Scout*," Singapore, 5 November 1862.

I HAVE the honour to acquaint you, that in consequence of the receipt of the enclosed letters from the Straits Government, I have proceeded to Tringanu, in company with "*Coquette*," for the purpose of carrying into effect the plans therein detailed.

Should the ex-Sultan of Linga be forthcoming, the "*Coquette*" will carry him to Bangkok, returning here as quickly as possible. Should he not be sent on board, the

"Coquette" will remain a short time off Tringanu to blockade the port, until the north-east monsoon sets in, which prevents egress or ingress.

I shall return to Singapore as soon as the fort has been destroyed; or should active measures not be required, I shall return forthwith to Singapore, from which place I do not expect to be absent in either case beyond the 13th instant.

Commodore Lord John Hay, C.B.,
&c. &c. &c.
Her Majesty's Ship "Odin."

I have, &c.
(signed) *John Corbett*,
Captain and Senior Officer in the
Straits of Malacca.

(No. 67.)

My Lord,

"Scout," at Singapore, 16 November 1862.

I HAVE the honour to report that, in compliance with the request of the Governor of the Straits, I proceeded on the 6th instant, with the "Tonze" in tow, accompanied by the "Coquette," to Tringanu, for the purpose of calling on the Sultan of that place to give up the ex-Sultan of Linga, Colonel Macpherson, the resident councillor of Singapore, embarking on board the "Scout" as political agent on the part of the Straits Government.

We arrived off Tringanu on the 9th, about sunset, and on the 10th an interview was held with the Sultan of Tringanu. On the 11th, Colonel Macpherson informing me that negotiations had failed, I proceeded to carry into effect the threats that had been made in the Governor's letter to the Sultan should he not accede to the demands made on him.

Enclosed is a copy of my notification to the Sultan; one of a letter addressed by me to the Governor, detailing the nature of the bombardment resulting from the Sultan's refusal to comply with our demands; and also a copy of the orders left with Commander Alexander, of "Coquette."

I beg to add that I proceeded to Tringanu with as strong a force as I had available, as I thought it possible that the Sultan might have been induced to have acceded quietly to our request when he saw that it was backed by a strong naval force; but as the mere presence of our ships proved insufficient to obtain the desired result, I trust you will approve of my having carried into execution the threats so plainly stated in the Governor's communication to the Sultan of Tringanu, a copy of which has been already forwarded to you.

I verbally modified the orders left with "Coquette" before leaving, informing Commander Alexander that I did not wish the shots mentioned in my memorandum to be fired at all at the fort, unless the sea became smooth enough to enable him to ensure his fire doing damage to the fort only, as, when I left, the heavy swell on the bar quite prevented perfect accuracy of fire; feeling that enough had been done to prove that we were in earnest, and that it was not the intention of Government to proceed to extremities until the result of the slight chastisement could be ascertained.

I left Tringanu on the 12th; anchored off Pahang for a few hours on the 13th, to enable Colonel Macpherson to communicate with the authorities; and arrived at this place, with "Tonze" in tow, on the 14th, at 5 p.m.

I have, &c.
(signed) *John Corbett*,
Captain and Senior Officer, in the
Straits of Malacca.

Commodore Lord John Hay, C.B.,
&c. &c. &c.

"Scout," off Tringanu, 12 November 1862.

YOU will remain off Tringanu until the 17th instant, to prevent anything from either entering or coming out of the river. Vessels arriving to be told that they are at liberty to go to any other place they may select. During your stay off the port you may fire occasionally at the fort and the Sultan's palace (the white building under the fort). The fort especially is wished to be damaged; but do not waste your ammunition.

Six shots per day to be the extent of your expenditure.

Should the ex-Sultan of Linga be sent off to you, take him to Bangkok, from whence you will return to Singapore with all convenient speed. Should he not be sent off by the 17th instant, return direct to Singapore, economising your fuel as much as possible.

Should you have to visit Bangkok, do not pass Paknam without permission. Communicate with Sir R. Schomburgk, the consul, the object of your visit, and request the Borneo Company to supply you with any coals you may require.

(signed) *John Corbett*,
Captain and Senior Officer, in the
Straits of Malacca.

Commander Alexander, Her Majesty's
Ship "Coquette."

Lord *John Hay*, Commodore in Command of Indian Division, to the Governor of Singapore, dated "Odin," 17 November 1862.

REFERRING to Captain Corbett's report of the proceedings of the late expedition of some of Her Majesty's ships, with the intention of coercing the Sultan of Tringanu, I have to request that you will, at your earliest convenience, acquaint me with your views as to the success or otherwise of the measure, in so far as that may be likely to affect the probability of further operations on that part of the coast being necessary.

I have, &c.
(signed) *John Hay*.

Colonel *Cavenagh*, Governor of Singapore, to Lord *John Hay*, dated Singapore, 17 November 1862.

IN reply to your Despatch of this date, I have the honour to state that a communication having been received from Her Majesty's Consul at Bangkok, to the effect that the Siamese Court had at last recognised the propriety of withdrawing the ex-Sultan of Lingah from Tringanu, and issued orders for the early departure of a steamer from Bangkok for the purpose, thus evincing their readiness to retrieve the error of which they were guilty in dispatching the above Chief to the Malay Peninsula, and marking their disapprobation of the course he has pursued in instigating the attack upon Pahang, I am induced to believe that the lesson inflicted under the orders of the senior naval officer, added to the avowed withdrawal of the countenance of the Siamese Government, may, perhaps, have a salutary effect upon the Sultan of Tringanu, and cause him to abstain from further interference with the affairs of Pahang, and to prohibit his people from rendering further aid to Inchi Wan Ahmed and his followers; in which case, the Bundaharah, aided by his ally the Tumongong of Johore, ought to be able to repel his assailants, and to effect the tranquilisation of his country; the attack thereon owing its success solely to the receipt of external support, and the prevalence of the feeling that that support had been afforded with the cognisance, if not at the instigation, of the Court at Bangkok.

2. Should the Siamese Government fail to fulfil their promise, it may, of course, still be necessary to adopt more stringent measures than have hitherto been pursued; but such measures should, if possible, be avoided, as the ill effects might probably fall not upon the chiefs, the real guilty parties, but upon the people, who have generally been well disposed towards the British Government.

(signed) *O. Cavenagh*.

(No. 46.)

Lord *John Hay* to Lord *C. Paget*, dated "Odin," Singapore, 30 December 1862.

My Lord,

I HAVE the honour to request that you will be pleased to acquaint the Lords Commissioners of the Admiralty with the following circumstances:—

2. Being desirous, after recent events at Tringanu, of visiting Bangkok, with the view of forming some more accurate opinion as to the degree of complicity of the Court of Siam in the disastrous affairs which had taken place in Tringanu and Pahang, and also of coming to some conclusion as to the probable necessity for further offensive operations being undertaken on the coast of the Malay Peninsula, I left Singapore for Bangkok on the 1st December, taking with me Her Majesty's ship "Coquette."

The "Coquette" carried a letter from his Excellency the Governor of the Straits Settlement to the Sultan of Tringanu. She was unable to land it at Tringanu on account of the bad weather at that time prevailing, but delivered the

letter to the head men at the Island of Pulo Kapas, situated a few miles below Tringanu, and near to the shore. They promised to forward it to its destination.

Leaving Her Majesty's ship "Odin" at the mouth of the Bangkok river, I proceeded up the river in Her Majesty's ship "Coquette," after the usual permission had been obtained, and anchored off Bangkok.

During my stay at Bangkok, I visited most of the principal officers of state, and had a public and private audience with his Majesty the First, or Major King of Siam. The reception that I met with was on all occasions most cordial and satisfactory, and the strongest desire was expressed that Great Britain and Siam should remain on the most friendly terms.

Understanding that the Siamese Government had referred the subject of the late affairs at Tringanu and Pahang, and the coercive measures that were carried on by our men-of-war to Her Majesty's Principal Secretary for Foreign Affairs, for the consideration and judgment of Her Majesty's Government, I did not deem it advisable to enter into any discussion of the question.

I gathered, however, that the Siamese Government is very ready to do as Her Majesty's Government may decide.

They do not believe themselves to be in the wrong in the late affairs to which I have before alluded, but they will, I feel confident, be very ready to listen to reason.

A vessel called the "Alligator," one of the Siamese Government steamers, was dispatched to Tringanu on the 17th November, to bring back the supposed author of all the troubles in Pahang, the ex-Sultan of Linga; on my departure from Bangkok, on the 16th December, no news of her had been received, and it was supposed that she was either looking for the ex-Sultan at some place along the coast to which he may have fled, or that the vessel was lost; either supposition being probable.

By last accounts, fighting continues in Pahang. I have not yet learnt that any sensible diminution of the disturbances in that State has taken place since the bombardment of the Fort of Tringanu.

Before leaving Singapore, which I propose to do so on the 1st of January 1863, in accordance with their Lordships' instructions, to meet my successor at Bombay, I intend to suggest to his Excellency the Governor of Singapore that it will be advisable not to undertake any further operations on the coast of the Malay Peninsula, excepting so far as may be immediately essential to the protection of British subjects and their property, at least until the pleasure of Her Majesty's Government is known. I need hardly point out to their Lordships that there is not any sufficient force in these parts to enable us to carry out offensive operations with success without much previous preparation.

His Excellency the Governor of the Straits Settlements has not given me to understand that he will find it necessary to apply for further assistance from the fleet; but if the state of warfare which is supposed to affect British trade with Pahang is to be quieted, and this was the original ground for our interference, it must be borne in mind that the fighting still goes on.

I have been detained longer at Singapore than I had intended through sickness, which has affected myself as well as some of the other officers of the ship.

I have also been unable to prepare, in time for the mail, such correspondence relating to Tringanu as I think it advisable to forward for their Lordships' information; this shall, however, be done without loss of time.

The "Scout" was dispatched to Trincomalee to refit. She returns, and assumes the duties of senior officer in the Straits at the end of January, the "Coquette" being in temporary charge of the senior officer's duties.

I am informed by the Commander-in-Chief that Her Majesty's Ship "Reynard" has been ordered to the coast of Borneo, to operate against pirates, and to protect trade.

I propose to leave this on the 1st of January, *en route* to Bombay, touching on the way at Malacca, Penang, and probably Achin, also Trincomalee.

I have, &c.
(signed) John Hay,
Commodore.

Lord *John Hay* to Lord *C. Paget*, dated "Odin," Penang,
10 January 1863.

My Lord,

I HAVE to request that you will be pleased to lay the accompanying correspondence before the Lords Commissioners of the Admiralty.

2. I have been unable to reduce its dimensions without sacrificing the clear understanding of the case.

3. Their Lordships will understand that the primary object that I have in view, while wishing entirely to avoid casting any blame upon any one in reference to the subjects treated of in these papers, is to draw their Lordships' attention to the inconvenience that may result from measures such as the bombardment of Tringanu being carried out without previous communication with the Commodore of the India Division, or the Commander-in-Chief in China.

4. The means of communication are now so rapid and so frequent that few cases can ever arise where previous communication with the Commodore or the Commander-in-Chief in China cannot take place.

5. The first that I heard of the case of Tringanu was by letter from Captain Corbett, who stated that he had just received a requisition from the Governor of Singapore to adopt coercive measures, if necessary, at Tringanu. I forthwith went to Singapore, and heard that Tringanu had been bombarded, and the object of the expedition had not been quite attained.

6. I entirely approved of Captain Corbett's conduct under the circumstances of the unequivocal nature of the requisition of the Governor of Singapore, and also of the humanity and judgment that he displayed during the operations. But I have, on full consideration of the circumstances, deemed it advisable to issue the instructions for the guidance of the senior officer in the Straits, a copy of which is herein appended.

7. On perusal of the accompanying papers their Lordships will observe that there were two distinct operations; one was the relief of the illegal blockade, supposed to exist at the mouth of the Quantong River, in the friendly territory of Pahang, where British property and lives were presumed to be in immediate danger, and the other operation was the bombardment of Tringanu, as a punishment to the Sultan of Tringanu for not complying with the Governor of Singapore's directions, that he should remove his nephew and guest the ex-Sultan of Linga to the "Coquette," which was ready to take the ex-Sultan to Bangkok, also I presume for his supposed complicity in the troubles of Pahang.

8. The first case appears to me to be one for immediate action by any naval officer, on due requisition being made him by competent authority, but the last instance seems to be a political question altogether, and one requiring such peculiar treatment as to make it very advisable that before offensive operations of the sort were undertaken by our ships, the instructions of the Commodore or Commander-in-Chief should be first received.

9. The measures adopted against Tringanu were taken on the responsibility of the Governor of Singapore, and although not quite successful, he seems pretty well satisfied with their result, but their Lordships will not fail to perceive, on the perusal of the accompanying papers, that the bombardment of Tringanu was much more, I will not say an act of revenge, but a punishment, than a measure of protection to British lives or property. The amount of British property involved was stated to be \$4,000, and to be, as I understand, in the shape of advances made to people, not British subjects, employed in working in tin mines in the interior of the neighbouring State of Pahang. Pahang being supposed to owe its disturbed condition to covert assistance being given by the Sultan of Tringanu to Inchi Wan Ahmed, the brother of the reigning Bandaharah of Pahang, who was on his own account asserting his rights to the government of a portion of Pahang, under the authority of his late father's will.

10. The protection to British interests, therefore, immediately afforded by the bombardment of Tringanu seems to have been of a doubtful and uncertain, indeed it may almost be said to have been of a negative, quality, as it is reported that claims will be sent in for damage done to British property by these very operations against Tringanu. I should not, however, think they could be maintained.

11. It is true that the near approach of the north-east monsoon made it necessary that the offensive operations should take place at once, if at all; but nevertheless, the evidence afforded even in these papers shows that for many months past affairs in the Malayan Peninsula have been in an unsatisfactory position, and the probability of coercive measures being required might have, by those who entertained that view, been easily foreseen.

12. I do not in any way desire to complain of the Governor of Singapore in this case, as the invariable courtesy and attention shown by him to naval officers, at all times, has been most marked; and, moreover, it seems not to have been customary heretofore to keep the Commodore or senior officer in India always acquainted with what was going on.

13. Nor have I communicated to the Governor of Singapore my opinion on the foregoing subjects further than writing him the letter of the 31st December 1862, a copy of which is appended.

14. I have thought it better that, as the duties of the navy are bringing them more closely and more frequently into contact with the high officials of the Indian Government, to draw their Lordships' attention to the subject, in order that the Commodore of the Indian Division might know whether I have taken the right view of the proper course to be pursued when such questions arise.

I have, &c.
(signed) *John Hay*, Commodore.

Lord John Hay to Colonel *Cavenagh*, dated "Odin," Singapore,
31 December 1862.

Sir,

As I am about to leave the eastern part of the Indian Division of the East India and China Station for a short period, I have the honour to suggest to your Excellency the advantage that the public service might gain if your Excellency would keep the Commodore on the Indian Station fully informed as to the state of affairs within the limits of your Excellency's sphere of operations or control.

I mean in reference to such matters as either at the time, or within a reasonable period, may be expected to demand employment of any part of the force under the Commodore's command.

2. I am also most desirous that in the event of any hostile operations being contemplated by your Excellency, where such are to be carried on by the aid of our men-of-war, you should give the Commodore commanding the Indian Division the very earliest possible information.

3. The advantage of this course will be obvious to your Excellency.

4. This will not of course interfere with the ordinary course of communication which you may have been in the habit of carrying on with the senior officer in the Straits.

I have, &c.
(signed) *John Hay*, Commodore.

Lord *John Hay* to Commander *J. H. Alexander*, Her Majesty's ship "*Coquette*;" dated "*Odin*," Singapore, 31 December 1862.

Sir,

I ENCLOSE to you, for the information of the senior officer, a copy of a letter addressed this day to His Excellency the Governor of the Straits Settlements. You will observe that I am desirous that the Commodore in India should be better informed than he has been up to this time of the state of affairs existing in this part of the station, in so far as they relate to the probable interference or employment of our men-of-war.

2. You will, therefore, in future, in dealing with any requisitions from any British authority for interference on the part of our men-of-war in territories not under the protection of Great Britain, unless where the immediate object of such interference is the protection of lives of British subjects, or of British property, refer such requisition to the Commodore in India; or, if requiring a more immediate reply than could be obtained from him, and it should appear that the Commander-in-Chief could give an answer at an earlier opportunity, then by reference, as well, to the Commander-in-Chief in China, acquainting the said British authority that you have done so, and are waiting instructions.

It is, of course, quite impossible to foresee everything that may occur, and therefore I am unwilling to say to you positively that the foregoing is never, under any circumstances, to be departed from. You are, however, to understand that you will not do right in deviating from the foregoing instructions excepting in cases of a peculiar and unusual nature.

3. The Commodore in India will be fully informed by His Excellency the Governor of the Straits Settlements, as well as by the senior officer, that measures, such as that of the bombardment of Tringanu, would require to have the previous sanction of the Commodore or Commander-in-Chief, the immediate necessity of the measure not having arisen out of the want of protection either of British property or of the lives of British subjects, and the possibility of a coercive course being required, having been easily, for a certain period at least, foreseen.

4. On the other hand, releasing British property and subjects from the restrictions from which they were supposed to suffer through the illegal blockade, stated to exist at the mouth of the Quantong River, was an operation which it would be right to carry out without any reference to the Commodore, and simply on the requisition of a competent British authority.

5. It is true that in the case of the Quantong River blockade, according to Captain Corbett's report, it appears very doubtful that anything of the sort had taken place; I, nevertheless, introduce the instance as an apt illustration of my meaning.

I have, &c.
(signed) *John Hay*, Commodore.

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India Office, }
7 April 1863. }

FRANCIS W. PRIDEAUX,
Secretary, Revenue Department.

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, to be Printed,
14 April 1863.

TABLE OF CONTENTS.

No.	FROM	TO	DATE	SUBJECT	PAGE
1	Government of India -	Secretary of State - -	11 Mar. 1862 No. 6.	Correspondence with North Western Provinces Government.	1
	Secretary to Government, North Western Pro- vinces.	Secretary to Government, India.	24 Dec. 1861	- - - - -	1
	Draft Bill: Commutation of Land Revenue, and Sale of Waste Lands.		- - - - -	- - - - -	2
	Extract, Draft Rules of Procedure - - - - -		- - - - -	- - - - -	4
	Extract, Secretary to Go- vernment, North West- ern Provinces.	Secretary to Sudder Board of Revenue.	Dec. 1861	- - - - -	4
	Extract, Officiating Secre- tary, Sudder Board of Revenue.	Secretary to Government, North Western Pro- vinces.	6 Dec. "	- - - - -	4
	Extract, Draft Rules of Procedure - - - - -		- - - - -	- - - - -	5
	Extract, Secretary to Go- vernment, North West- ern Provinces.	Officiating Secretary to Sudder Board of Re- venue.	Dec. 1861	- - - - -	5
	Secretary to Government, North Western Pro- vinces.	Secretary to Government of India.	15 Feb. 1862	- - - - -	6
	Secretary to Government, India.	Secretary to Government, North Western Pro- vinces.	11 Mar. "	- - - - -	6
2	Government of India -	Secretary of State - -	5 Aug. " No. 13.	Measures for giving effect to Resolution.	8
	Secretary to Landholders' and Commercial Asso- ciation.	Secretary to Government, India.	2 July 1862	- - - - -	8
	Under Secretary to Go- vernment, India.	Secretary to Landholders' and Commercial Asso- ciation.	22 July "	- - - - -	9
	Officiating Secretary to Government, Bengal.	Secretary to Government, India.	29 July "	- - - - -	9
	Secretary to Board of Revenue.	Officiating Secretary to Government, Bengal.	19 July "	- - - - -	9
	Secretary to Landholders' and Commercial Asso- ciation.	Secretary to Government, India	30 July "	- - - - -	11
	Secretary to Government of India.	Secretary to Landholders' and Commercial Asso- ciation.	2 Aug. "	- - - - -	11
	Under Secretary to Go- vernment, India.	Officiating Secretary to Government, Bengal.	2 Aug. "	- - - - -	13
3	Government of India -	Secretary of State - -	13 Sept. " No. 15.	Orders issued in compliance with instructions contained in Secretary of State's Despatch.	13
	Secretary to Government, India.	Secretary to Government, Bengal. Secretary to Government, North Western Pro- vinces. Secretary to Government, Punjab and its Depen- dencies.	15 Aug. 1862	- - - - -	14
	Secretary to Government, India.	Secretary to Government, Madras - - - - Secretary to Government, Bombay - - - -	15 Aug. "	- - - - -	15

No.	FROM	TO	DATE.	SUBJECT.	PAGE.
	Secretary to Government, India.	Secretary to Government, Bengal.			
		Secretary to Government, North Western Provinces.	5 Sept. 1862	- - - - -	16
		Secretary to Government, Punjab.			
	Secretary to Government of India.	(Circular) - - - - -	9 Sept. "	- - - - -	17
	Draft Bill - - - - -	- - - - -	- - - - -	- - - - -	18
4	Secretary of State - -	Government of India -	31 Oct. 1862 No. 21.	- - - - -	21
5	Government of India -	Secretary of State -	26 Sept. 1862 No. 16.	Rules for Sale of Waste Lands, &c., Bengal.	21
	Officiating Secretary to Government, Bengal.	Secretary to Board of Revenue.	30 Aug. 1862	- - - - -	21
	Rules - - - - -	- - - - -	- - - - -	- - - - -	23
	Secretary to Landholders' and Commercial Association.	Secretary to Government, India.	2 Sept. 1862	- - - - -	25
	Secretary to Government, India.	Secretary to Landholders' and Commercial Association.	26 Sept. "	- - - - -	26
6	Government of India -	Secretary of State -	27 Sept. " No. 17.	- - - - -	27
	Officiating Secretary, Government, Bengal.	Secretary, Board of Revenue.	17 Sept. 1862	- - - - -	27
	Ditto - - - - -	C. B. Stewart, Esq. -	19 Sept. "	- - - - -	28
7	Government of India -	Secretary of State -	6 Oct. " No. 18.	Disposal of Forest Lands -	29
	Secretary to Government, India.	(Circular) - - - - -	26 Sept. 1862	- - - - -	30
8	Government of India -	Secretary of State -	30 Dec. " No. 22.	Revised Rules, North Western Provinces.	30
	Secretary to Government, North Western Provinces.	Secretary to Government, India.	17 Sept. 1862	- - - - -	31
	Rules of Procedure - -	- - - - -	- - - - -	- - - - -	31
	Secretary to Government, North Western Provinces.	- - - - -	17 Sept. 1862	- - - - -	34
	Secretary to Government, North Western Provinces.	Secretary to Government, India.	17 Oct. "	- - - - -	35
	Secretary, Sudder Board of Revenue, North Western Provinces.	Secretary to Government, North Western Provinces.	2 Oct. "	- - - - -	35
	Secretary to Government, India.	Secretary to Government, North Western Provinces.	18 Dec. "	- - - - -	35
9	Government of India -	Secretary of State -	7 Jan. 1863 No. 1.	Register of Waste Lands, Bengal.	36
	Register - - - - -	- - - - -	22 Nov. 1862	- - - - -	36
10	Government of India -	Secretary of State -	22 Jan. 1863 No. 3.	Sale of Waste Lands, Central Provinces.	37
	Notice by Officiating Commissioner of Belaspore	13 Sept. 1862	- - - - -	- - - - -	37
	Secretary to Government, India.	Officiating Commissioner of Central Provinces.	11 Oct. "	- - - - -	37
	Secretary to Chief Commissioner, Central Provinces.	Secretary to Government of India.	22 Oct. "	- - - - -	38
	Ditto - - - - -	Ditto - - - - -	6 Oct. "	- - - - -	40
	Officiating Commissioner, Nagpore.	Secretary to Chief Commissioner, Central Provinces.	7 July "	- - - - -	41
	Deputy Commissioner, Raepore.	Commissioner, Nagpore -	25 June "	- - - - -	41
	Secretary, Government of India.	Officiating Chief Commissioner, Central Provinces.	13 Dec. "	- - - - -	43
	Secretary to Chief Commissioner.	Secretary, Government of India.	6 Oct. "	- - - - -	44
	Rules - - - - -	- - - - -	16 Oct. "	- - - - -	46

No.	FROM	TO	DATE.	SUBJECT.	PAGE.
	Secretary to Government of India.	Officiating Chief Commissioner, Central Provinces.	13 Dec. 1862	- - - - -	49
	Revised Rules - -	- - - - -	- - - - -	- - - - -	50
11	Government of India -	Secretary of State - -	31 Jan. 1863 No. 2.	Sale of Waste Lands, Bengal -	52
	Rules - - - -	- - - - -	- - - - -	- - - - -	53
	Secretary to Landholders' and Commercial Association.	Officiating Secretary to Government of Bengal.	3 Nov. 1862	- - - - -	57
	Secretary to Board of Revenue.	Officiating Secretary, Government of Bengal.	25 Nov. "	- - - - -	57
	Officiating Secretary, Government of Bengal.	Secretary to Board of Revenue.	12 Dec. "	- - - - -	58
12	Government of India -	Secretary of State - -	2 Feb. 1863 No. 3.	Adoption, in Sind, of Rules published by Government of Bengal.	59
	Acting Chief Secretary, Bombay.	Secretary, Government of India.	22 Nov. 1862	- - - - -	59
	Commissioner in Sind -	Governor of Bombay -	24 Oct. "	- - - - -	59
	Acting Chief Secretary, Bombay.	Commissioner in Sind -	22 Nov. "	- - - - -	60
	Secretary, Government of India.	Chief Secretary to Government, Bombay.	23 Jan. 1863	- - - - -	60
13	Government of India -	Secretary of State - -	6 Feb. " No. 4.	Waste Lands in Darjeeling -	61
	Secretary, Board of Revenue.	Under Secretary, Government of Bengal.	28 Oct. 1862	- - - - -	61
	Officiating Secretary, Government of Bengal.	Secretary, Board of Revenue.	2 Dec. "	- - - - -	62
	Secretary, Board of Revenue.	Secretary, Government of Bengal.	23 Dec. "	- - - - -	62
	Superintendent of Darjeeling.	Secretary, Board of Revenue.	3 Dec. "	- - - - -	63
	Captain Cornish - -	Superintendent of Darjeeling.	26 Nov. "	- - - - -	63
	H. Dear, Esq. - -	Ditto - - - -	3 Dec. "	- - - - -	63
	Secretary, Government of Bengal.	Secretary, Board of Revenue.	30 Dec. "	- - - - -	64
14	Extracts, India Revenue Proceedings - - - -	- - - - -	Jan. "	Resolution of October 1861 -	65
	Secretary to Landholders' and Commercial Association.	Secretary to Government of India.	14 Jan. "	- - - - -	65
	Under Secretary, Government of India.	Secretary to Landholders' Association.	31 Jan. "	- - - - -	65
15	Extract, India Revenue Proceedings - - - -	- - - - -	Mar. "	Sonthal Pergunnahs. Lands belonging to the Hill people.	65
	Secretary to Government of Bengal.	Secretary to Government of India.	27 Jan. "	- - - - -	65
	Officiating Commissioner, Sonthal Pergunnahs.	Secretary to Government of Bengal.	18 Jan. "	- - - - -	66
	Assistant Commissioner of Pakour.	Commissioner of Sonthal Pergunnahs.	19 Feb. 1860	- - - - -	69
	Deputy Commissioner Wood.	- - - - -	1 Aug. "	- - - - -	70
	Secretary to Government of India.	Secretary to Government of Bengal.	6 Mar. 1862	- - - - -	71
16	Extract, India Revenue Proceedings - - - -	- - - - -	Mar. "	Appeal from Rules, North Western Provinces.	72
	J. W. B. Money - -	Secretary to Government, India.	25 Jan. "	- - - - -	72
	Secretary, Landholders' Association.	Ditto - - - -	31 Jan. "	- - - - -	74
	Secretary, Government of India.	Secretary to Government of North Western Provinces.	11 Mar. "	- - - - -	76
17	Extract, India Revenue Proceedings - - - -	- - - - -	April "	Disposal of Lands in Malacca	77
	Governor, Prince of Wales Island.	Secretary to Government of India.	21 Oct. 1861	- - - - -	77
	Draft of Notification, &c.	- - - - -	- - - - -	- - - - -	78

No.	FROM	TO	DATE.	SUBJECT.	PAGE
18	Extract, India Revenue Proceedings - - - -		June 1862	Rules unsuited to Coimbatore district.	80
	Secretary to Government of Madras.	Secretary to Government of India.	24 May "	- - - -	80
	Collector of Coimbatore -	Secretary, Board of Revenue, Madras.	25 Mar. "	- - - -	80
	Secretary to Government of India.	Secretary to Government, Madras.	20 June "	- - - -	81
19	Extract, India Revenue Proceedings - - - -		Aug. "	Petition from Tea Companies holding land at Darjeeling.	82
	Secretaries to Tea Companies.	Secretary, Government of India.	14 April "	- - - -	82
	Petition - - - -	- - - -	14 Mar. "	- - - -	82
	Secretary, Government of India.	Secretaries to Tea Companies.	25 Aug. "	- - - -	83
20	Extract, India Revenue Proceedings - - - -		Sept. "	Correspondence, Minute, &c. Sale of Waste Lands.	84
	Secretary to Government of India.	(Circular) - - - -	2 Jan. "	- - - -	84
	Secretary, Government of Bengal.	Secretary to Government of India.	16 Jan. "	- - - -	84
	Secretary, Board of Revenue.	Secretary to Government of Bengal.	28 Dec. 1861	- - - -	87
	Bengal: Board's Rules and Revised Rules.	Lieutenant Governor's	- - - -	- - - -	90
	Secretary, Board of Revenue.	Superintendent of Darjeeling.	27 Dec. 1861	- - - -	95
	Officiating Under Secretary, Government of Bengal.	Secretary to Government, India.	13 Mar. 1862	- - - -	95
	Landholders at Darjeeling	Secretary to Government, Bengal.	24 Feb. "	- - - -	95
	Under Secretary, Government, Bengal.	Secretary to Government of India.	19 April "	- - - -	96
	Secretary, Board of Revenue.	Secretary, Government of Bengal.	1 April "	- - - -	96
	Ditto - - - -	Ditto - - - -	26 June "	- - - -	98
	Secretary, Government, Madras.	Secretary, Government of India.	25 Feb. "	- - - -	99
	Rules for Madras Presidency; Sale of Lands - - - -	- - - -	- - - -	- - - -	101
	Rules for Redemption of Land Revenue - - - -	- - - -	- - - -	- - - -	105
	Acting Chief Secretary, Madras.	Secretary, Government of India.	22 July 1862	- - - -	106
	Secretary to Government of North Western Provinces.	Secretary to Government of India.	1 July "	- - - -	106
	Ditto - - - -	Secretary, Sudder Board of Revenue.	2 April "	- - - -	107
	Secretary, Sudder Board of Revenue.	Secretary, Government North Western Provinces.	20 June "	- - - -	109
	Circular Order; Rules Secretary, Government, Madras.	Secretary to Government, India.	8 Feb. 1862	- - - -	109
	Minute by the Hon. the President - - - -	- - - -	12 Nov. 1861	- - - -	115
	Minute by the Hon. Mr. Maltby - - - -	- - - -	24 Dec. "	- - - -	116
	Appendix - - - -	- - - -	- - - -	- - - -	119
	Minute by the Hon. Mr. Morehead - - - -	- - - -	5 Jan. 1862	- - - -	119
	Minute by the Hon. Sir H. B. E. Frere - - - -	- - - -	3 Mar. "	- - - -	119
	Minute by His Excellency the Governor General - - - -	- - - -	8 Mar. "	- - - -	120
	Minute by the Hon. Mr. Beadon - - - -	- - - -	13 Mar. "	- - - -	120
	Minute by the Hon. S. Laing - - - -	- - - -	7 April "	- - - -	121
	Secretary to Government, Punjab.	Secretary to Government, India.	25 April "	- - - -	125
	Financial Commissioner, Punjab.	Secretary to Government, Punjab.	4 Jan. "	- - - -	128
	Officiating Judicial Commissioner, Punjab.	Ditto - - - -	7 Jan. "	- - - -	130
	Commissioner, Cis-Sutlej States.	Ditto - - - -	24 Dec. 1861	- - - -	131
	Officiating Commissioner, Trans-Sutlej States -	Ditto - - - -	13 Dec. "	- - - -	133
	Commissioner, Trans-Sutlej States.	Ditto - - - -	18 Dec. "	- - - -	134
	Commissioner, Mooltan Division.	Ditto - - - -	19 Dec. "	- - - -	136

No.	FROM	TO	DATE.	SUBJECT.	PAGE.
	Commissioner, Lahore Division.	Secretary to Government, Punjab.	30 Dec. 1861	- - - - -	136
	Deputy Commissioner, Dera Ismael Khan.	Ditto - - -	19 Dec. „	- - - - -	138
	Deputy Commissioner, Loodiana.	Ditto - - -	17 Dec. „	- - - - -	139
	Deputy Commissioner, Umballa.	Ditto - - -	4 Jan. 1862	- - - - -	140
	Acting Secretary, Government, Bombay.	Secretary, Government of India.	23 Apr. „	- - - - -	141
	Minute by his Excellency the Governor of Bombay	- - - - -	3 Mar. „	- - - - -	141
	Minute by the Hon. Mr. Reeves	- - - - -	7 Mar. „	- - - - -	143
	Minute by the Hon. Mr. Frere	- - - - -	31 Mar. „	- - - - -	144
	Acting Secretary, Government of Bombay.	Secretary, Government of India.	16 May „	- - - - -	144
	Statement of Works of Public Utility constructed in 1860-61.	- - - - -	- - -	- - - - -	145
	Translation of Memorandum by the late Akbaravees of Kolapore.	- - - - -	11 Mar. 1862	- - - - -	147
	Secretary to Government of North Western Provinces.	Secretary to Government, India.	27 May „	- - - - -	149
	Minute by Senior Member of Sudder Board of Revenue	- - - - -	5 Dec. 1861	- - - - -	149
	Minute by Junior Member	- - - - -	21 Dec. „	- - - - -	162
	Minute by Hon. the Lieutenant Governor, North Western Provinces.	- - - - -	27 May 1862	- - - - -	163
	Officiating Secretary, Government of Bengal.	Secretary to Government of India.	25 June „	- - - - -	170
	Secretary, Board of Revenue.	Secretary to Government, Bengal.	10 June „	- - - - -	171
	Chief Commissioner, Central Provinces.	Secretary to Government of India.	22 July „	- - - - -	175
21	Extract, India Revenue Proceedings	- - -	Sept. „	Communication from Landholders' Association.	177
	Secretary to Landholders' Association.	Secretary to Government of India.	23 Sept. „	- - - - -	177
	Ditto - - -	Secretary of State - - -	1 Aug. „	- - - - -	177
22	Extract, India Foreign Revenue Proceedings	- - -	Jan. 1863	Permanent Settlement, Central Provinces.	179
	Secretary to Chief Commissioner.	Secretary to Government of India.	8 Oct. 1862	- - - - -	179
	Under Secretary to Government of India.	Secretary to Government, North Western Provinces.	13 Jan. 1863	- - - - -	182
23	Extract, Madras Revenue Proceedings	- - -	Sept. 1862	Madras Rules - - -	183
	Order - - -	- - -	24 Sept. „	- - - - -	183
24	Extract, Madras Revenue Proceedings	- - -	Oct. „	Draft Bill - - -	185
	Secretary, Board of Revenue.	Chief Secretary to Government.	2 Oct. „	- - - - -	185
	Secretary to Government of Madras.	Secretary to Government, India.	13 Oct. „	- - - - -	186
25	Extract, Madras Revenue Proceedings	- - -	Nov. „	- - - - -	187
	Minute by his Excellency the President	- - -	- - -	- - - - -	187
	Secretary, Government, Madras.	Secretary to Government, India.	29 Nov. 1862	- - - - -	189
26	Extract, Madras Revenue Proceedings	- - -	Dec. „	Madras Rules for Sale of un-assessed Lands.	189
	Secretary to Board of Revenue.	Chief Secretary, Government of Madras.	14 Oct. „	- - - - -	189
	Order - - -	- - -	6 Dec. „	- - - - -	190
	Rules - - -	- - -	- - -	- - - - -	192
	Order - - -	- - -	- - -	- - - - -	194
	Secretary, Board of Revenue.	Chief Secretary to Government, Madras.	27 Oct. 1862	- - - - -	194
	Order - - -	- - -	6 Dec. „	- - - - -	195
	Rules for Sale of Lands on the Neilgherry Hills	- - -	- - -	- - - - -	196
	Form of Deed - - -	- - -	- - -	- - - - -	197

No.	FROM	To	DATE.	SUBJECT.	PAGE.
27	Extract, Madras Revenue	Proceedings - - -	Jan. 1863	Waste Land in Ganjam, Coimbatore and Malabar.	198
	Secretary to Board of Revenue.	Secretary to Government of Madras.	22 Dec. 1862	- - - - -	198
	Order - - -	- - - - -	15 Jan. 1863	- - - - -	199
	Collector of Madras -	Secretary, Board of Revenue.	18 Dec. 1862	Sale of Land; Collectors' proposals.	199
	Collector of Madura -	Ditto - - -	22 Dec. "	- - - - -	200
	Collector of Tinnevely -	Ditto - - -	11 Nov. "	- - - - -	200
	Ditto - - -	Ditto - - -	28 Nov. "	- - - - -	201
	Ditto - - -	Ditto - - -	27 Dec. "	- - - - -	201
	Order - - -	- - - - -	18 Jan. 1863	- - - - -	202
28	Bombay Revenue Proceedings - - -	- - - - -	April 1862	Opinions of Members of Government respecting the redemption of land tax.	202
	Acting Secretary to Government, Bombay.	Secretary to Government of India.	23 April "	- - - - -	202
	Minute by His Excellency the Governor - - -	- - - - -	3 Mar. "	- - - - -	202
	Minute by the Hon. Mr. Reeves - - -	- - - - -	7 Mar. "	- - - - -	204
	Minute by the Hon. Mr. Frere - - -	- - - - -	31 Mar. "	- - - - -	206
29	Bombay Revenue Proceedings - - -	- - - - -	Nov. "	Bill to provide for adjudication of Claims, &c.	206
	Acting Secretary, Government of Bombay.	Secretary to Government of India.	17 Nov. "	- - - - -	206
	Commissioner in Sind -	Governor and President in Council.	18 Oct. "	- - - - -	206

COPY of further PAPERS relating to the SALE OF WASTE LANDS OR REDEMPTION of the LAND REVENUES in *India*, and further CORRESPONDENCE with the Indian Government relating thereto (in continuation of Parliamentary Paper, No. 327, of Session 1862).

— No. 1. —

REVENUE LETTER from India, dated 11 March (No. 6) 1862.

Sir,

REFERRING to our Resolution of the 17th October 1861, regarding the sale of waste lands in fee simple, and the redemption of the existing land revenue, transmitted to you with our Despatch, No. 18, dated the 21st idem, we have the honour to forward for your information a copy of correspondence with the Government of the North Western Provinces, as noted in the margin.

From Government North-Western Provinces, No. 1401A, dated 24 December 1861, and enclosure.
From Government North-Western Provinces, No. 105, dated 15 February 1862.
To Government North-Western Provinces, No. 1376, dated 11 March 1862.

We have, &c.

(signed) *Canning.*
H. B. E. Frere.
Cecil Beadon.
R. Napier.
S. Laing.
W. Ritchie.

Enclosure 1, in No. 1.

From Sir *George Couper*, Bart., C. B., Secretary to the Government of the North Western Provinces, to *W. Grey*, Esq., Secretary to the Government of India, No. 1401 A, dated Camp Lullutpore, the 24th December 1861.

WITH reference to Part II. of the Resolution, No. 3264, dated 17th October 1861, regarding the redemption of the Land Revenue, I am desired to enclose, for submission to his Excellency, the Viceroy in Council, the papers noted in the margin,* and to solicit instruction on the points therein discussed.

2. The Draft Bill has been prepared by the Sudder Board of Revenue of these Provinces, and represents their views as well on the points on which the Lieutenant-Governor thinks it necessary to ask for instruction as on all others.

3. The question considered in the papers under enclosures Nos. 1 and 2 is raised by the terms in which paragraph 43 of the Resolution is expressed. Those expressions, strictly construed, would seem to exempt the tenure obtained by redemption of the Land Revenue, from all demands on account of the Government, and to confer upon it an immunity from all legal claims of the Government. In these Provinces, as his Excellency is aware, a cess of one per cent. upon the revenue assessed upon their estates is paid by all landholders for the construction and repair of roads in commutation of their legal liability to be called upon to construct and repair roads. And under rules known as the Sheharunpore rules, which were issued by the late Lieutenant Governor, a cess of one per cent. for educational purposes is added to the Land Revenue assessed upon all villages coming under re-settlement.

4. There appears to the Lieutenant Governor to be no doubt, as explained in the accompanying extract from the letter to the Sudder Board of Revenue, that the road cess of one per cent., and the educational cess also (the legality of which latter, however, the Lieutenant Governor is disposed to doubt), are no less than the income tax itself, demands on account of the Government. It is not supposed that the Governor General in Council intended that the redemption of the Land Revenue, by a payment of 20 years' purchase, should give immu-

nity to the purchasers from any one of these demands. But his Honour cannot help being apprehensive that a claim to such immunity might hereafter be preferred on the ground of the expressions employed in paragraph 43 of the Resolution; and, as the matter is one upon which no doubt of any kind should rest, the Lieutenant Governor ventures to trouble the Government of India with this inquiry.

5. The papers under enclosure No. 3 refer to a point which is of some importance in these Provinces; and his Honour would be glad to know that the construction which he has put upon paragraph 53 of the Resolution is in accordance with the views of the Governor General in Council. If such should prove to be the case, he would request that a clause be inserted in the law, to be enacted, under paragraph 55 of the Resolution, making it obligatory upon a sharer in a putteedaree estate, of which the land is entirely divided, desiring to redeem his quota of the village revenue, to demarcate the boundaries of his land, and to cause a partition to be made constituting it an independent and separate estate under the Law of Partitions for the time being in force. He would, at the same time, beg that Mr. Harington may be called on to produce the correspondence cited in the margin, and referred to in paragraph 6 of the Board's letter enclosed, in order that the Bill discussed therein may be brought under consideration as soon after the meeting of the Council as practicable.

6. For reasons which have been stated by the Board, the draft Bill herewith submitted does not contain any Section regarding the registration of estates purchased in fee-simple, and estates of which the land revenue may be redeemed. The Board, having regard to the proposed Law of Registration, which is intended to make the registration of all transfers of landed property above a very low amount, compulsory, are inclined to think that the object aimed at by the Government of India, in paragraph 55 of the Resolution, may be more conveniently attained by means of that general law. But it appears to the Lieutenant Governor that, in providing for the execution of the measures inaugurated by the Resolution, there is no need to take into consideration future possible contingencies, and that it will be better to include a Section on the point in the legal enactment to be passed under paragraph 55 of the Resolution. If, in the final settlement of the general Registration Bill, it should be thought desirable, it will be easy to repeal or modify the special provision which has been above recommended.

7. As the publication of the rules regarding the redemption of the Land Revenue in these Provinces will be postponed, pending the receipt of the instructions now asked for, I am desired particularly to request that the Lieutenant Governor may be favoured with the earliest practicable reply to this letter.

DRAFT of BILL to provide for the Commutation of the Land Revenue by a present Payment in full Value of the same, and for the Sale of Waste Lands.

WHEREAS it is expedient to empower the local Governments to commute the Land Revenue by receiving a present payment in full of the value of the same, and to sell, free from the demand of Land Revenue, waste and unoccupied lands, it is hereby enacted as follows:—

II. It shall be lawful to the Governor General in Council, from time to time, to fix the number of years' purchase at which the Land Revenue may be redeemed; and likewise to determine what portion of the Land Revenue in each Presidency, or in each district of the Presidency, may be redeemed.

III. Wherever the Land Revenue has been assessed in perpetuity, the person who, as proprietor, possesses the right to pay the Government Land Revenue, shall be entitled to redeem such revenue by a payment calculated at the rate to be fixed by the Governor General in Council, as aforesaid, and within the aforesaid limits.

Wherever the Land Revenue has not been permanently assessed, the person who, being *de facto* proprietor in possession, possesses the right to pay the Government jumma, shall be entitled to commute such jumma by a payment calculated at the rate to be fixed by the Governor General in Council, as aforesaid, and within the aforesaid limits.

IV. In any case in which the assessment last effected may have been fixed on special or personal grounds, at a rate expressly lower than the general standard of assessment, such as in Nuzerana Mehals, or in tenures held under Oobaree or Talookdaree privilege, or in which the assessment has been partially remitted, the commutation of such assessment shall not render the land free for ever from further assessment, in case the privilege under which the reduced assessment is paid should lapse or become extinct. Provided that such further assessment shall have reference to the proportion of the full jumma in abeyance at the time of redemption; and no more.

V. No sharer in any Mehal shall be entitled to redeem the assessment on a portion only of such Mehal until he shall have separated the same by partition, under the law for that purpose at the time being in force. But in estates held in divided occupancy, the local Government shall be at liberty to permit the redemption of the jumma of the separate shares on such conditions as it may prescribe.

VI. In districts of which the Land Revenue has been settled in perpetuity, the permanent assessment will form the basis of commutation; in all other districts, the assessment of the settlement last effected.

VII. With the exception of the cases otherwise provided for in Section IV., estates or portions of estates, of which the Land Revenue has been commuted, shall be free for ever from

from any demand on account of or of Government Land Revenue assessed upon them, and falling due after the date on which payment of the commutation money has been made.

VIII. Wherever a proprietor has, by the settlement last concluded, come under engagements to pay a rate upon his jumma towards the repair of roads, or for the support of education, such obligation shall remain in force, notwithstanding the commutation of the Land Revenue; but it shall be competent to the local Government, in estates of which the Land Revenue has been commuted, to receive a payment in commutation for ever of the demand in question, at the rate of commutation for the time being in force on account of Land Revenue.

IX. No obligations binding by law, or by the compact of the settlement last made, shall be effected by the commutation of the Land Revenue other than the obligation to pay the Land Revenue itself; and all arrears for demands made by the Government in fulfilment of such other obligations may be enforced by distraint of the crops or other property of the defaulting proprietor on the estate on account of which such arrears are due.

X. All sums realised by the Government under the provisions of this Act shall, without loss of time, be invested in the purchase of Government promissory notes, or shall be devoted to the liquidation of the public debt by the re-payment of loans previously received by Government, and to no other purpose. For this object, the Governor General in Council shall appoint such number of commissioners as may be necessary, and such commissioners are hereby authorised and required to devote all monies received by them as having been realised by the commutation of the Land Revenue, or the sale of waste lands or other obligations as above specified in the manner aforesaid.

XI. It shall be lawful for the local Governments to sell any waste lands in which, after due inquiry and advertisement, no rights of property or of exclusive occupancy are found to exist, at such rates per acre as from time to time may be determined by such local Governments, with the sanction of the Governor General in Council.

XII. On the payment of one-tenth of the sale price so determined, together with the cost of survey, the purchaser will be recorded provisionally as the proprietor of the land thus sold. On the expiration of three months from the date of sale, interest at 10 per cent. shall be charged upon all outstanding arrears of the purchase money. Such interest shall be levied in half-yearly instalments on such dates as shall be determined by the local Government, and for all arrears of such instalments the land shall be held to be hypothecated, and all processes lawful for the realisation of arrears of Land Revenue shall be applicable to the realisation of such arrears of interest; provided that no land shall be sold for the recovery of arrears of interest until endeavour has been made to realise them from the crops or other property of the defaulter on the land. The effect of a sale of the land for the recovery of arrears of interest shall be the same as the effect of a sale for the recovery of arrears of revenue.

XIII. On the payment in full of the sale price determined as above, the purchaser shall possess an entire and exclusive title to the property in the land so sold, notwithstanding that any other rights may subsequently be proved to have existed in such land.

XIV. Provided that any claim made by third parties within one year from the advertisement mentioned in Section XI. shall be investigated, and on proof of the reality of such claim due compensation shall be awarded by the Government to the claimant. But the purchaser shall in no case be held liable on account of such compensation, nor shall his title be invalidated by any such claims of whatever nature.

XV. Provided further that in case of the disability of any such third parties arising from infancy, lunacy, or other legal cause, the limit for preferring objections shall be extended in conformity with the law of limitations for the time being in force.

XVI. The title conferred by the sale of waste lands shall be conclusive, not only as against all other proprietary claims, but as against all claims to subordinate tenure or occupancy, and all other rights and claims of any description, excepting such as may be specified in the deed of sale by the local Government, or such as may be incurred by the purchaser, his heirs or representatives, subsequent to the sale.

XVII. Provided that no prescriptive rights of individuals in running streams passing through the lands thus sold, or bounding the same, shall be affected by the sale; and provided further that the indefeasible right of the State over all such streams or rivers to control and distribute the water in such manner and on such conditions as may be expedient, whether for purposes of irrigation or navigation, shall remain unaffected by the sale.

XVIII. Provided also that nothing in this Act shall bar the Government from appropriating land under the law for the time being, for public purposes in any estate sold under its provisions.

XIX. It shall be competent to the local Government to require the purchaser of any waste lands under this Act to enter into engagements to maintain such village police, and to pay such other dues as may be customary in the Province wherein the lands sold are situated, and likewise to conform to the local usages of the said Province; and in respect of such obligations the provisions of Sections VIII. and IX. of this Act shall be binding upon the purchasers, his heirs and representatives.

(signed) *G. H. M. Batten,*
 Officiating Secretary, Sudder Board of Revenue,
 North Western Provinces.

EXTRACT, Paragraphs 20, 26, and 27, of the Draft Rules of Procedure submitted by the Officiating Secretary to the Sudder Board of Revenue, North Western Provinces.

Para. 20. THE effect of redemption of the Land Revenue of any estate is simply to relieve the Malgoozar for ever from any demand by Government for Land Revenue on account of such estate. It does not in any other respect alter his position or liabilities either to Government or third parties. No stronger right of property, either as regards collateral claims or subordinate tenures than existed before, is created by the redemption of the Land Revenue.

26. Excepting release from farther demand of Land Revenue, the existing obligations and responsibilities of the proprietor will remain unchanged. The maintenance of Putwaries and of the village police will continue, as now, obligatory on the proprietor; and he will be responsible as before for such cesses as were engaged for at the settlement. Of these it will be in the power of the proprietor to redeem the road cess of one per cent., and (where that has been engaged for at the settlement) the educational cess, at 20 years' purchase. All sums paid on this account will be separately credited and reported, as it will be necessary to invest them in distinct funds.

27. Estates, the Land Revenue of which has been redeemed, shall be held liable to assessment for income tax under the same rules as are applicable to Maafee and Lakhiraj estates.

EXTRACT, Paragraphs 3, 4, 5, and 6, of a Letter from Secretary to the Government of the North Western Provinces, to the Officiating Secretary to the Sudder Board of Revenue, North Western Provinces, No. — dated the — December 1861.

Para. 3. IN Section IX. of the Draft Bill the Board have provided that "no obligations binding by law, or by the compact of the settlement last made, shall be effected by the commutation of the Land Revenue, other than the obligation to pay the Land Revenue itself;" and, in paragraph 26 of the Rules, the Board have declared that the maintenance of Putwaries and of the village police will continue, as now, obligatory on the proprietor; and further, that the proprietor "will be responsible for such cesses as were engaged for at the settlement," that is to say, the road, educational, or other cesses; No. 20 countenances the same doctrine.

4. But the terms which are used in paragraph 43 of the Resolution of the Governor General in Council, No. 3264, dated 17th October, in regard to the tenure to be obtained by redemption, raise a doubt as to the correctness of the Board's interpretation. That tenure is described to "be that of an hereditary and transferable property held in perpetuity free of all demand on account of Land Revenue or of the Government." Now it may be at once admitted that the cost of maintaining Putwaries and the village police, these being village servants paid from time immemorial by the village communities and proprietor,—is not a demand "on account of the Government." But the same cannot be said of the one per cent. road cess, or of the educational cess. These of course do not come within the category of Land Revenue: but they certainly do constitute a demand which is made by the Government, and the proceeds of which are used by the Government. That these are used for the benefit of the people does not alter the fact that they are a demand on account of the Government.

5. In like manner, it appears to the Lieutenant Governor that a draft may arise as to the liability to income tax under a strict reading of paragraph 43 above referred to, of the parties who may redeem the Land Revenue assessed upon their estates on the profits derived from their redeemed lands.

6. It is proper to add that the Lieutenant Governor does not believe that it was the intention of the Governor General in Council by this Resolution to decree exemption from the demands above referred to; but the expressions used in paragraph 43 of the Resolution may possibly give rise to, or even justify, such an inference; and, in a matter of this vast importance, it is very undesirable to allow any doubt to rest upon any of the conditions of the measure. This point will be referred for the consideration of the Government of India.

EXTRACT, Paragraphs 3, 4, 5, and 6, of a Letter from the Officiating Secretary to the Sudder Board of Revenue, to the Secretary to the Government of the North Western Provinces. No. 873, dated the 6th December 1861.

Rules, paragraphs 10, & c, Bill, Section V. Para. 3. THE provisions in paragraphs 10, &c., for a revision of the jumma as distributed in putteedaree villages are absolutely necessary, seeing that the sanction of Government has been given only to the jumma of the Mehals, and the redemption of any puttee, at an inadequate proportion of that assessment, might throw an unjust burden on the rest of the village without possibility of future equalization.

Paragraph 13. 4. Paragraph 13 includes shares on putteedaree and bhyachara estates when the distribution of land is liable to vary, because a property once redeemed must be of fixed and recognizable boundaries, as is most justly required in paragraph 44 of the Resolution.

5. The

5. The Board are of opinion that the extension of the privilege of redemption to unseparated portions of a mehal is inexpedient, but they have proposed the rules contained in paragraphs 10 to 12 as necessary, if the intent of paragraph 53 of the Resolution is to be understood without any restriction. If the redeemed lands remained undivided from those unredeemed, it would, at any ensuing settlement, be found difficult to prevent the fraudulent inclusion of Khalsa in the redeemed land. If the boundaries of the redeemed puttee were completely demarcated, as required by Rule 14, there would apparently be no reason why the puttee should not be declared a distinct mehal. Moreover the provisions of paragraph 11 of the Rules may be held somewhat inconsistent with the declaration in Section 55 of the Resolution.

6. As the law now stands, there is no legal process for enforcing partition under Regulation XIX. of 1814. A late decision of the Sudder Dewanny Adawlut* clearly shows this, and the Board would beg to remind Government of the necessity that exists for passing the proposed law sent up some time ago on the subject. This law is necessary to enable putteedars to separate their holdings from the responsibilities of the rest of the village.

EXTRACT, Paragraphs 10 to 13, from Draft Rules of Procedure submitted by the Officiating Secretary to the Sudder Board of Revenue, North Western Provinces.

Para. 10. In putteedaree estates of which the land is entirely divided, the jumma of the entire mehal may be redeemed as above, by the putteedars conjointly. If any putteedar is desirous of redeeming his share, he can proceed either by partition, thus constituting his puttee a separate and independent estate; or he may apply for permission to redeem his quota of the village revenue, still retaining his position as a member of the village community; but in this latter case, as the assessment has been fixed by Government upon the entire village and not on each puttee, a careful investigation will be necessary into the equality of the distribution of the jumma. If the jumma of the puttee be found to bear its full proportion to the jumma of the village with due regard to their relative assets, then redemption may be permitted at such jumma. Should the proportion of the puttee's assessment, on the contrary, be found to be inadequate, a fair allotment of jumma upon the puttee will be made, which, when sanctioned by Government, will form the basis of calculation.

11. Where a regular partition is not made, redemption of the revenue of a puttee will not affect the position of the putteedar in the community; he will retain his privileges in the management of the village, and will be responsible as before, for his share of the village expenses, and jointly responsible for any defalcation of revenue in the unredeemed portion of the village.

12. In imperfect putteedaree estates, where the division of lands is fixed, and not liable to occasional or periodical alterations, the same course may be followed. In case of regular partition under the law, the new mehal will of course be formed by the addition to it of its proper share of the undivided lands. Where partition does not take place, the puttee, including the putteedar's share in the commonlands will, after redemption, be free from all demand on account of its own previous revenue, but will remain, as above explained, jointly responsible in respect of the rest of the village and its revenue.

13. In putteedaree and bhyachara villages, where the division of lands is liable to change, no redemption can be allowed till the severalty of tenure becomes fixed and unalterable, either by partition under the law, or otherwise, when the property can be treated as above directed.

EXTRACT, Paragraphs 7 to 9, from a Letter from the Secretary to the Government of the North Western Provinces, to the Officiating Secretary to the Sudder Board of Revenue, North Western Provinces, No. —, dated the — December 1861.

Para. 7. ANOTHER point which seems to call for reference to the Governor General in Council is that raised in the 5th and 6th paragraphs of your letter. The opinion of the Lieutenant Governor is with reference to the entire spirit of the Resolution, that paragraph 53 must be read without any restriction, that is to say, that wherever redemption is practicable, without injury to the rights and interests of others, there redemption must be allowed.

8. It is undoubtedly true, as the Board have said, that the extension of the privilege of redemption to unseparated portions of a mehal is inexpedient; but the intention of the Governor General in Council clearly appears to be as above stated, and the Lieutenant Governor cannot think that the benefit of the measure can be denied to such tenures. He does not, however, see why complete demarcation of the boundaries of the redeemed puttee, and partition under the law for the time being in force, should not be made obligatory on the

* "Decisions," Vol. xv. for October 1860, case No. 167 of 1859, page 633; Sookh Loll and others v. Girdharee Loll. *Vide* correspondence ending with Government order No. 313 A, Revenue Department, dated 16 July 1860.

the putteedar desirous of redeeming the revenue of his püttee, and this would do away with the inexpediency noticed by the Board. In this view the Government of India will be addressed, and asked to take into consideration, at the earliest practicable date, the passing of the Bill referred to in the 6th paragraph of your letter, and also to enter a clause in the enactment proposed in paragraph 55 of the Resolution, making demarcation of boundaries and complete separation in such cases obligatory.

9. But in any case it does not appear to the Lieutenant Governor that paragraph 11 of the rules is inconsistent with the declaration made in Section 55 of the Resolution, seeing that, in Section 52, it is expressly provided, "that the purchaser shall remain subject to all other customary liabilities whether to individuals or to communities." There can be little or no doubt that the responsibility of a putteedar "for his share of the village expenses," and his joint responsibility "for any defalcation of revenue in the unredeemed portion of the village," are liabilities to his co-sharers in the village community. Upon this point also the ruling of the Government of India will be solicited.

Enclosure 2, in No. 1.

From Sir *George Couper*, Bart., C.B., Secretary to the Government of the North Western Provinces, to *W. Grey*, Esq., Secretary to the Government of India, No. 105 A, dated Allahabad, 15 February 1862.

I AM directed to draw your attention to my letter, No. 1401 A, dated 24th December, and to state, for the information of his Excellency the Viceroy in Council, that references are being made to this Government which cannot be disposed of until a reply to that communication shall have been received from the Government of India.

Enclosure 3, in No. 1.

(No. 1376.)

From *W. Grey*, Esq., Secretary to the Government of India, to Sir *George Couper*, Bart., C.B., Secretary to the Government of the North Western Provinces, dated Fort William, 11 March 1862.

Sir,

Home Department.
Revenue.

No. 1401 A, dated
24 December 1861.
No. 105, dated
15 February 1862.

I AM directed by the Governor General in Council to acknowledge the receipt of your letters marginally noted, enclosing the draft of a "Bill to provide for the commutation of the Land Revenue by a present payment in full value of the same, and for the sale of Waste Lands," and soliciting instructions on certain points connected with the redemption of the Land Revenue, in respect of which the intention of the Resolution of the 17th October last seems to the Lieutenant Governor to require explanation.

2. The first point adverted to in the 2d and 3d paragraphs of your letter has reference to the interpretation of paragraph 43 of the Resolution, and especially of the words "free of all demand on account of Land Revenue or of the Government."

3. From the Extract of the Draft Rules of Procedure enclosed in your letter, and from sections 8 and 9 of the Draft Bill, it appears that the Sudder Board of Revenue consider that "the effect of redemption of the Land Revenue of any estate is simply to relieve the Malgoozar for ever from any demand by Government for Land Revenue on account of such estate," and that "it does not in any other respect alter his position or liabilities either to Government or third parties." Under this interpretation the Board proceed to show that the landholder, who has redeemed the land revenue of an estate, will continue to be responsible for the road cess of one per cent., and also for the educational cess where that has been engaged for at the settlement, and to be "liable to assessment for income tax under the same rules as are applicable to Maufee and Lakhiraj estates."

4. The Lieutenant Governor, on the other hand, though not supposing "that the Governor General in Council intended that the redemption of the Land Revenue by a payment of 20 years' purchase should give immunity to the purchasers from any one of these demands," is apprehensive that the terms in which paragraph 43 of the Resolution is expressed may give rise to such a claim, as he considers that the expressions, strictly construed, do "seem to exempt the tenure obtained by redemption of the Land Revenue from all demands on account of the Government," and therefore from the demands in question, which it is remarked are undoubtedly "demands on account of the Government."

5. The Governor General in Council desires me to observe, that there can be no doubt as to the correctness of the interpretation put upon paragraph 43 of the Resolution of the 17th October by the Sudder Board of Revenue, and this view, indeed, is acquiesced in, so far as the supposed intention of the Resolution is concerned, by the Lieutenant Governor. Whatever may be the full grammatical force of the words "or of the Government," it is obvious that it never could have been intended that a zemindar, by redeeming the Land

Revenue

Revenue of his estate should acquire an exemption from all future taxation, general or local, in respect to the rental of such estate.

6. If paragraphs 37 and 43 are read together, the general meaning of the Resolution will appear more clearly. While on the one hand the tenure of waste lands granted under the rules is to be that of an heritable and transferable property held in perpetuity, free from all claims either of the Government or of third persons prior to, or inconsistent with, the grant, on the other hand the tenure of lands of which the Land Revenue is redeemed, will be that of an heritable and transferable property held in perpetuity free of all demands on account of the Land Revenue, and free from all claims of the Government (but not, as in the case of Waste Lands, from those of third persons) prior to or inconsistent with such redemption. It is clear that the words "of the Government" have the same meaning in the two sections.

7. Now, in regard to Waste Lands, it is elsewhere explained in detail that the deed of grant is to convey all rights of forest, pasturage, mines, fisheries, and all other property of the Government to the soil (section 12); all right, except under the provisions of Act VI. of 1857, to take land or material for roads, tanks, canals, or other public improvements except such as are named at the time of the grant, or are specifically excepted in it (Section 13); and freedom from all conditions as to the cultivation or clearance of the lands within a given period (Section 14). These are the claims of the Government from which such lands are to be exempted. But there is nothing in the rules to indicate that either grantees or purchasers of waste lands, or persons who redeem their land revenue, are to be exempt from any local or municipal tax legally imposed, such, for instance, as a per-centage on their rental for roads, or education, or other strictly local purpose, or from income tax, or any other general tax in respect to such rental.

8. The rules, I am to observe, provide for the redemption of the Land Revenue, not for that of any other kind of Revenue; and when it is said that persons who redeem their land revenue are to hold their lands "free of all demands on account of land revenue or of the Government," it is meant, not that such persons are to be exempt from local or general taxes on the income which they derive from their lands, but that they are free from all future demand on account of Land Revenue, and from all claims of a proprietary kind* which the Government may have possessed or asserted previous to redemption. There are no such claims in permanently settled districts, and few, if any, in the North Western Provinces where the proprietary right of the persons who pay Land Revenue is acknowledged, but in the Central Provinces, and in Western and Southern India, where the settlement is made with persons having only a right of occupancy, and where the proprietary right in the soil has hitherto been asserted by the Government, the concession of such claims is an element of vast importance in the scheme of redemption sanctioned by the Resolution.

9. The Governor General in Council desires me to remark here, with reference to Section VIII. of the Draft Bill, and to the latter part of extract paragraph 26 of the proposed rules of procedure, for carrying out the provisions of the resolution of the 17th October last, for the redemption of the Land Revenue, that the Board are wrong in supposing that the road and education cesses, so far as they are paid by the zemindars, can be redeemed with the Land Revenue. The legality, or otherwise, of the several cesses mentioned in the correspondence is not now in question; but all legal cesses of the kind should continue to be paid separately.

10. The second point on which the Lieutenant Governor solicits instructions, is that referred to in the 5th paragraph of your letter, relative to the construction to be put upon paragraph 53 of the resolution. From the extract of the letter from the Board of Revenue, dated 6th December, and of your reply, and also from Section V. of the Draft Bill, it appears that the Sudder Board of Revenue consider the provisions of paragraph 53, taken along with those of paragraph 44, to be quite inapplicable to putteedaree or bhyachara estates held in undivided occupancy, and to be applicable only under certain conditions to putteedaree estates, in which the land is divided.

11. The Governor General in Council agrees with the Lieutenant Governor, in thinking that paragraph 53 of the resolution must be read without restriction. Where, for example, a village is assessed, say, at 800 rupees a year, the owner of two annas in it, by paying 2,000 rupees, would be able to redeem the Land Revenue of his eighth share in perpetuity. To such a case the provisions of paragraph 44 are, to a certain extent, inapplicable. The exact extent and limits of the whole village may be defined, but not those of an eighth undivided share of it; and the same is the case where the lands of a share are partly divided off, and partly not. The effect of redemption would be this, that at the next settlement, if the assessment of the whole village were raised to 880 rupees, one-eighth would be deducted on account of the redeemed share, and the remaining seven-eighths of the village would be assessed with a jumma of 770 rupees. In cases of this kind, however, the redemption can only be an imperfect one. It can be a redemption only of the shareholder's own separate liability for his share of the whole assessment, not of his joint liability for the Land Revenue of the whole estate. It is not until the lands of a particular share have been

entirely

* There is another limitation which must be placed on the full meaning of the words used in paragraph 43. Where lands have been pledged to Government as security for the fulfilment of a contract or otherwise, or where they may be liable to sale in execution of a decree of court given in favour of Government against the proprietor or against any one having an interest in such lands, it is clear that the claims of the Government arising in this way cannot be barred by the mere act of redeeming the revenue.

entirely marked off from the rest of the village, and separately defined and assessed, that the redemption can be complete.

12. An additional reason is thus afforded for hastening the enactment of the proposed law to facilitate the division of estates; but the promulgation of the redemption rules need not wait for it.

13. With reference to your 6th paragraph, I am desired to state that the Governor General in Council agrees with the Lieutenant Governor as to the expediency of inserting in the Act for giving effect to the resolution, a registration clause for the purpose contemplated in paragraph 55.

14. This correspondence, I am to add, will be considered in connexion with the Bill, for the introduction of which leave was given at the last meeting of the Council for making laws and regulations. The Lieutenant Governor will have an opportunity of offering his remarks on the provisions of that Bill before it is passed into law.

I have, &c.
(signed) *W. Guy*,
Secretary to the Government of India.

— No. 2. —

REVENUE LETTER from India, dated 5 August (No. 13), 1862.

Sir,

REFERRING to the Despatch of the Government of India, No. 18, dated the

From Secretary to Landholders' and Commercial Association, 21st October 1861, and to the proceedings, dated 2 July 1862.

To ditto ditto, No. 3623, dated 22 July 1862.

From Officiating Secretary to Government of Bengal, No. 1306, dated 29 July 1862, and enclosure.

From Secretary to Landholders' and Commercial Association, dated 30 July 1862.

To ditto, No. 3909, dated 2 August.

To Officiating Secretary to the Government of Bengal, No. 3936, dated 2 August.

dated 12th March last, of the Council of the Governor General of India for making laws and regulations, transmitted with our Secretary's letter, No. 5, dated the 15th idem, we have the honour to forward for your information a copy of the correspondence noted in the margin, on the subject of giving effect to the resolution

of the 17th October last, regarding the sale of waste lands.

We have, &c.
(signed) *Elgin & Kincardine*.
R. Napier.
H. B. Harington.
W. Grey.

Enclosure 1, in No. 2.

From *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, to *E. C. Bayley*, Esq., Secretary to the Government of India, dated 2 July 1862.

I AM directed by the General Committee of the Association to ask for information as to the measures which may be in progress for giving effect to the resolution of the 17th October last, regarding the sale of waste lands in fee simple.

2. It is known to some members of the Committee that grantees of land under the old rules resident in England, relying on the early carrying out of the Resolution, have contracted to sell their grants, or part of their grants, with fee simple titles, which contracts they are unable to carry out.

3. It is also felt that proprietors of grants, who have been waiting to commute their holdings by purchase of the fee simple, will have great reason to complain if they are made to pay the higher price for lands cleared between the publication of the Resolution and the time when they are enabled to commute their holdings.

4. I have said that the proprietors of grants will have great reason to complain if they are made to pay the higher rate, because I do not suppose that Government will enforce the payment of the higher price for lands cleared since the date of the Resolution; still the liability to have such higher rates demanded is the cause of anxiety and uncertainty; so much so that some may be deterred from proceeding with their clearances, whilst those who are more reliant on the justice of the Government must feel that, if relieved from the higher rate of purchase money, they will be liable to trouble and delay in showing what lands have been cleared before and since any certain date.

5. The rains put a stop to all proceedings for the acquisition of new lands, and the short period of the year during which surveys can be made is another reason for the early settlement

settlement of the question, as to delay it till late in the dry season is, in effect, to delay the purchase of new lands to the December following.

6. I trust that the circumstances stated above will be considered sufficient to justify the Association in applying for the information I am directed to ask for.

7. The Committee of the Association are also desirous of knowing the present position of the Contract Law introduced into the Council of the Governor General, and will feel greatly obliged for any information you may be able to give them on the subject.

Enclosure 2, in No. 2.

From *A. M. Monteath*, Esq., Under Secretary to the Government of India, to *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, No. 3623, dated 22 July 1862.

I AM directed to acknowledge the receipt of your letter dated the 2nd instant, asking for information as to the measures which may be in progress for giving effect to the Resolution of the 17th October last regarding the sale of waste lands, and also as to the present position of the Contract Law, which was introduced into the Council of the Governor General last January.

2. In reply, I am desired to state, for the information of the Landholders' Association, that the Resolution of last October, regarding the sale of waste lands, and subsequently the proceedings of the Governor General's Council on the motion of the late Governor General for leave to introduce a Bill in reference to that matter, were transmitted in usual course to the Secretary of State. A communication from Her Majesty's Government upon the subject is expected at an early date; and until it is received, the Governor General in Council does not propose to take any further steps in the matter.

3. With respect to the Contract Bill introduced by the late Mr. Ritchie, I am desired to state that that Bill was in like manner, at the time of its introduction, transmitted to the Secretary of State. To this communication an answer has been received, stating certain objections to the Bill, which will have to be considered by the Council when it meets for legislative purposes.

Enclosure 3, in No. 2.

From the Honourable *A. Eden*, Officiating Secretary to the Government of Bengal, to *E. C. Bayley*, Esq., Secretary to the Government of India, No. 1306, dated 29 July 1862.

I AM directed to forward, for the consideration and early orders of His Excellency the Governor General in Council, the accompanying copy of a letter, No 259, dated the 19th instant, from the Secretary to the Board of Revenue, relative to the grant of waste lands in Darjeeling.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Officiating Secretary to the Government of Bengal, No. 259, dated 19 July 1862.

A CASE has lately come before the Board from Darjeeling, which has brought to light that some of the waste lands of that district have been dealt with by Dr. Campbell in a manner which may lead to complications.

2. No sooner was the Resolution of His Excellency the Governor General in Council, dated 17th October 1861, published, than numerous applications were made for lands in these hills; and in the case which is now before the Board, one of Major Sherwill's grounds of protest against Mr. Wake's order declaring certain lands for which he has applied to be included in a previous application, is that every piece of land on the hills has been applied for.

3. Another ground of protest is urged by Major Sherwill, in his capacity of "Surveyor of these Hills;" Major Sherwill considers Mr. Wake's order, which bars him from being registered as applicant for these lands, as opposed to a former order of Dr. Campbell's, under which certain tracts applied for have been surveyed and marked off; and Major Sherwill protests, in his official capacity, against the confusion which must arise from the issue of counter-orders.

4. It appears that Dr. Campbell registered applications for waste lands in the order in which he received them—this he was quite right in doing; but it further appears that this registration has been looked upon, and acted upon, as a formal promise of assignment; and the Board learn that some of those who have been fortunate enough to have their applications registered for eligible lots have immediately sold their interest to others, at rates very much higher than those which they will eventually have to pay to Government. The Board do not find that Dr. Campbell's official replies to the applications gave any ground for this misapprehension; in one of them to Mr. Donoghue, now before the Board, he (Dr. Campbell) writes:—"And for this land, less any portion required by Government for a police-station

and haith, I record your application as the first received for this land, and to be dealt with under the Resolution of the 17th of October, as applied to this territory by the Local Government." Again, in a demi-official note, the Honourable D. Cowie quotes the terms of Dr. Campbell's official reply to his application, in which Dr. Campbell writes—that "it shall be complied with as soon as may be under the Resolution of the 17th of October last, *in such terms as it may be applied to this territory by the Local Government.*"

5. Clearly these replies in no way pledge the Government, or restrict it as to the rules which it may think fit to prescribe for dealing with applications; whatever privileges may attach to a first applicant, under the rules which may be issued, will of course belong to the first registered applicants for Darjeeling lands, but nothing more; they will be exactly in the same position as persons who may apply for lands after the rules are passed.

6. Unfortunately, Dr. Campbell appears in some cases to have gone further. Taking advantage of Mr. Ivey's appointment to Darjeeling for survey purposes, Dr. Campbell has, in some instances, accepted from applicants the estimated cost of surveying and marking off the boundaries of the lands contained in their applications, and caused it to be so marked off; this was clearly exceeding his authority.

* In my letter
No. 160, dated
16 April 1862.

7. As soon as the Board had intimation of what was going on, they brought the matter to his Honor's notice*, and subsequently issued their Circular Order, No. 41, dated 1st instant, pointing out that the receipt of such deposits was unauthorized, and that they should be returned; they are prepared to hear that the applicants will raise objections to accepting the amount deposited, and Mr. Wake writes that he is afraid the order will cause great excitement.

8. In a letter from the Commissioner of Assam, the Board are given to understand that applicants have taken possession of the tracts for which they have applied, and commenced operations without waiting for any formal sanction.

9. It appears to the Board very desirable that the Government should now issue an order, declaring distinctly the course which it will pursue in this matter; and this course, in the Board's opinion, should be to deny that the Government has yet parted with, or in any way pledged itself to part with a single acre of land, except on the fulfilment of all requirements of the rules which may hereafter be promulgated.

10. Certainly the policy of the Resolution of the 17th of October was not absolutely to confer the ownership of the most desirable waste lands, at a price very much below that which the public are willing to pay for them, on those who, from their personal acquaintance or connexion with the locality, may have the best opportunity of obtaining information regarding them, and thus of being first in the field with their applications. Such a course would have been as unfair to the general public as it would have been improvident of the interests of the Exchequer; still less is it in accordance with the policy of the Resolution that lands should be purchased by applicants who have no other object than to sell them again at a profit; but these must be the results if the right of a first applicant be recognised to the exclusion of others.

11. The policy of the Resolution was that no waste lands which were not absolutely required by the Government should unnecessarily remain unoccupied. Paragraph 29 of the Resolution provides that the minimum selling price shall not be fixed too high; but the 17th, 18th, and 30th paragraphs as distinctly provide that the highest price procurable in the market shall be obtained, by putting up to auction all lands which are desired by more than one person, and clearly contemplate that the public shall have an opportunity of competing given to it before lands are alienated by the Government.

12. The Board therefore request his Honor's sanction to make the following declarations as from the Government of Bengal:—

1st.—That paragraph 57 of the Resolution of the 17th of October gave no authority to local officers to sell waste lands; that the most which they were authorized to do was to register applications in the order in which they were received; and that any act done by them, any guarantee of allotment made by them, and any admission of right to allotment beyond this, was in excess of their authority, and will not be recognised.

2d.—That in the rules which are now under the consideration of the Supreme Government for applying the principles laid down in its former resolution, provision will be made for carrying out its 17th and 30th paragraphs, and that all lands which may have been applied for before the issue of the rules, as well as those which may be applied for afterwards, will be duly notified, and an opportunity given to the public of competing for them within the period, and in the manner which may be prescribed in the rules.

3d.—That the Government will enforce its right of selecting lands to be reserved from sale, without reference to any applications having been made for the lands which it may select. This right has already been enforced in the selection of a block of land to be put at Dr. Anderson's disposal as a cinchona nursery.

4th.—That any parties who may have entered on possession of waste lands before their final allotment, and who may have incurred expense, or who may in future incur expense, in connexion with these lands, have done so and will do so at their own risk, and that the Government will in no way consider itself restricted either in selecting lands for reservation, or in putting them up to sale by public competition under the rules, by the circumstance that parties have taken possession of lands without authority and in anticipation of the publication of the rules of procedure, accordance with which paragraph 20 of the Resolution clearly recognises as a condition of the validity of a grant.

13. Should the Board's view be adopted, they propose immediately to call on all district officers to submit recommendations as to the lands in their districts which should be reserved by Government.

Enclosure 4, in No. 2.

From *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, to
E. C. Bayley, Esq., Secretary to the Government of India, dated 30 July 1862.

I AM directed by the Committee of the Association to acknowledge Mr. Secretary Monteath's letter, No. 3623, of the 22d instant, in reply to mine of the 2d on the subject of the sale of waste lands in fee-simple, and of the passing of a Contract Law; and I am desired, with due respect, to submit the following remarks:—

Since writing that letter, it has come accidentally to the knowledge of the Association, that a Circular Order had been issued by the Board of Revenue (of which circular, No. 41, of 28th June 1862, a copy has since been obtained), suspending all proceedings in the sale or assignment of waste lands, and directing that all sums received in payment of purchase-money, or as deposit for costs of survey, should be returned.

The appearance of this circular has caused regret and surprise to the Association,—regret at the apparently retrogressive policy of Government in suspending the operation of a measure of so liberal and wise a nature as that recorded in the Resolution of the Governor General in Council of the 17th October last, and more especially so after it had been practically in force for upwards of eight months; and surprise that an order so seriously affecting the interests of great numbers of the public should have been issued without being communicated to the public through the usual channel of the "Government Gazette," or in any other way, or to the Association whose members are so largely interested, although the Government had, in June last year, expressly asked for the suggestions of the Association as to the rules for the sale of waste lands, the greater part of which suggestions had been adopted.

The concluding paragraph of the Resolution of the Governor General in Council of the 17th October last is as follows:—

57. "The Local Governments will be called on to prepare the draft of a law to give legal effect to these measures within their several jurisdictions, so as to secure for all grantees a legislative title to their property."

"But it is not necessary to await the enactment of such a law before making known, and as far as practicable acting upon, the rules which have been here laid down."

And I am requested by the Association to submit, for the consideration of Government, that the directions contained in the 3d paragraph of the Circular Order of the Board of Revenue will, when compared with the above extract, be found to be not only inconsistent with the Resolution of the Governor General in Council, but beyond the authority of the Board.

But in addition to those who have paid money or have obtained the assignment of grants, there are many, both here and in England, who have withdrawn their capital from other investments, and who have abandoned other pursuits, to embark in the purchase and management of properties to be acquired under the Resolution of the Governor General in Council; and the Association would beg to point out that to defeat those arrangements now could not fail to destroy that confidence which the public have hitherto reposed in the Government; and indeed the issuing of the Circular Order must, even if retracted, shake for a time that reliance in the good faith of Government which it is so desirable to preserve above suspicion.

The suspending and calling in question the policy of the sale of waste lands in fee-simple, as provided for in the Resolution, is the more unexpected, as it had met with universal approval both in this country and in England.

In regard to that part of the letter of Government which refers to a Contract Law, I am directed to urge on the Government the vital importance of bringing forward at once, and passing as early as possible, a law that shall be just to all parties; as such a law, greatly wanted at all times, is now more urgently required than ever, as without it no effectual aid to the cultivation of cotton in India can be expected from English capitalists; and although the present extraordinarily high prices of cotton may induce a temporary increase in the quantity grown, it is only by the introduction of British capital and superintendence (as has been demonstrated in silk and other industries) that the quantity can be so improved as to give permanence to the trade after the present exceptional circumstances have ceased to affect it.

Enclosure 5, in No. 2.

Home Department.—Revenue.

To *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association;
dated Fort William, 2 August 1862, No. 3909.

Sir,

I AM directed to acknowledge the receipt of your letter dated the 30th ultimo, remarking upon Mr. Monteath's letter to your address, No. 3623 of the 22d idem, by which the Association was informed that until a communication, which was expected at an early

date, from the Secretary of State should be received, the Governor General in Council did not propose to take any further steps in the matter of the Resolution of last October, concerning the sale of waste lands and the redemption of the Land Revenue.

Your letter then notices a circular letter which has been recently put out by the Calcutta Board of Revenue, "suspending all proceedings in the sale or assignment of waste lands." This circular, it is said, has caused the Association regret and surprise—regret at the apparently retrogressive policy of Government in suspending the operation of a wise and liberal measure, after it had been practically in force for upwards of eight months, and surprise that such an order should have been issued without being communicated to the public through the usual channel of the "Gazette"*, or to the Association whose members are so largely interested.

Your letter proceeds to refer to the concluding paragraph of the Resolution of October, citing it *in extenso*, and submits on behalf of the Association that the circular of the Revenue Board is inconsistent with the Resolution, and beyond the authority of the Board.

It is next pointed out that to defeat the purpose of those who have paid money, or obtained assignments of grants, or who have entered into arrangements for embarking in the purchase of land to be acquired under the Resolution of October, cannot fail to destroy the confidence which the public have hitherto reposed in the Government, and that indeed the mere issue of the Board's circular, though it be withdrawn, "must shake that reliance in the good faith of Government which it is so desirable to preserve above suspicion.

And finally, you remark that "the suspending and calling in question the policy of the sale of waste lands in fee-simple is the more unexpected, as it had met with universal approval both in this country and in England."

2. In reply, I am desired to state that the Governor General in Council can perceive no ground on which it can reasonably have been supposed that there was any intention, either on the part of Government or of the Revenue Board, "to call in question the policy of the sale of waste lands," or to defeat the purpose of those who have made arrangements for taking advantage of the Resolution of the 17th October last.

3. The opening paragraph of the Board's circular states merely that no sales are to be made "until the terms on which they are to be made shall have been sanctioned by the Government of India."

4. From the belief expressed by the Association, that the Board of Revenue has exceeded its authority in issuing the circular in question, it is obvious that the provisions of the 20th paragraph of the Resolution of October last have been overlooked.

5. It is true that paragraph 57 of that Resolution, cited by the Association, gave the Local Governments authority to act upon the Resolution in anticipation of the enactment of the law necessary to give validity to some of its provisions; but it is equally clear that no authority was given to district officers to act under the Resolution in anticipation of instructions from their Government.

6. On the contrary, the 20th paragraph of the Resolution made it necessary, before any action was taken under it, that rules of procedure should be carefully framed for the guidance of the district authorities.

7. The Government of Bengal considered it preferable, having regard to some nice and difficult questions which arose in framing the rules, to seek the approval of the Government of India to those ultimately prepared before acting upon the Resolution.

8. It is to these rules of procedure that the Board of Revenue refer, in saying that sales of land are not to be carried out until the terms on which they are to be made shall have been sanctioned by the Government of India. The letter addressed to the Association on the 22d has explained why these rules are for the present kept in abeyance.

9. The 2d and 3d paragraphs of the Board's circular are simply intended to provide for cases in which there might be more than one applicant for the same piece of land, and to protect the right reserved to Government, in the interests of the public, by the 23d and 24th paragraphs of the Resolution of October, and generally to guard against the hasty assignment of land by local officers upon terms inconsistent with the spirit and intention of this measure.

10. It certainly was not the policy of the Resolution absolutely to confer the ownership of the most desirable waste lands, at a price very much below what the public are willing to pay for them, on those who, from their personal acquaintance or connexion with the locality, may have the best opportunity of obtaining information regarding them, and thus of being first in the field with their applications.

11. Such a course would have been as unfair to the general public as it would have been improvident of the interests of the Exchequer: still less is it in accordance with the policy of the Resolution that lands should be purchased by applicants who have no other object than to sell them again at a profit; but these must be the results if the right of a first applicant be recognised to the exclusion of others.

12. The Governor General in Council infers, from a communication just received from the Government of Bengal, that assignments of land have, in fact, been made by district authorities to the first applicant, without giving any opportunity to other applicants to come forward. The object of the Board of Revenue was to prevent further proceedings of the same nature.

13. The

* The circular was published in the Bengal "Government Gazette," which is the medium through which the Board invariably publishes its orders.

13. The Governor General in Council is, therefore, unable to agree with the Association in thinking that the Board of Revenue has exceeded its authority in communicating to the district revenue authorities an order given by the Local Government, or that the Board's circular affords any just ground for the apprehensions as to the intentions of Government, which are signified in the letter from the Association.

14. At the same time I am directed to state, that in any case in which land has been already actually assigned to an applicant by a district officer, such assignment will be upheld by Government, notwithstanding that it may have been made without proper authority, provided that it shall appear to have been made in accordance with the rules which are laid down by the Resolution of the 17th October, and more particularly the rule prescribed by paragraph 17, which requires that the application shall have been advertised "in the most customary and effectual manner."

15. Paragraph 20 of the Resolution requires, that every grant should be immediately reported to the Local Government. As it would seem that this injunction has not been observed by some district officers in Bengal, the Local Government will be requested to call, through the Board of Revenue, for the early submission of statements showing what grants have been made, with the dimensions of each, and stating how the requirements of paragraph 17 were fulfilled.

16. I am, in conclusion, desired to point out that the Association would more properly, in this matter, have addressed the Lieutenant Governor of Bengal, to whom the Board of Revenue is directly subordinate, and to whom a copy of the correspondence will be now communicated.

I have, &c.
(signed) *E. C. Bayley*,
Secretary to the Government of India.

Enclosure 6, in No. 2.

From *A. M. Monteath*, Esq., Under Secretary to the Government of India, to the Honourable *A. Eden*, Officiating Secretary to the Government of Bengal, No. 3936, dated 2 August 1862.

I AM directed to forward, for the information of the Honourable the Lieutenant Governor, and for the necessary communication to the Board of Revenue, the * From the Secretary Landholders' and accompanying copy of a correspondence * with the Landholders' and Commercial Association, dated 2 July. To ditto, No. 3623, dated 22 July. From ditto, dated 30 July. To ditto, of this date.

Commercial Association, on the subject of giving effect to the Resolution of the 17th October last, regarding the sale of waste lands.

— No. 3. —

REVENUE LETTER from India, dated 13 September (No. 15) 1862.

Sir,

WE have the honour to acknowledge the receipt of your Despatch, No. 14, dated the 9th of July, regarding the sale of waste lands and the redemption of the existing land revenue, and to transmit for your information a copy † of the orders which we have issued to the Local Governments in pursuance of the instructions contained therein.

† Letter to Bengal, North-Western Provinces, and the Punjab, No. 4206, dated 15 August 1862.
Letter to Madras and Bombay, Nos. 4244 and 4245, dated 15 August 1862.
Circular dated 5 September 1862.
Circular dated 9 September 1862.

2. A copy of the Bill‡ referred to in our circular of the 9th instant is also forwarded.

We have, &c.
(signed) *Elgin & Kincardine*.
R. Napier.
H. B. Harington.
W. Grey.

‡ Bill to provide for the adjudication of claims to waste lands, and for the investment of the proceeds arising from the sale of such lands, and of other Government lands, and from the redemption of land revenue.

Enclosure 1, in No. 3.

From *E. C. Bayley*, Esq., Secretary to the Government of India, to Secretary to the Government of Bengal, to Secretary to the Government of the North-Western Provinces, to Secretary to the Government of Punjab and its Dependencies, No. 4206, dated 15 August 1862.

WITH reference to the correspondence noted in the margin,* I am desired to transmit, for the information and guidance of the Lieutenant Governor, copy of a Despatch† received from the Secretary of State, regarding the sale of waste lands and the redemption of the existing land revenue.

2. It is desirable that Rules for regulating the sale of waste lands should be prepared, with as little delay as possible, in conformity with the modified conditions now prescribed by Her Majesty's Government; but it will be observed, that all arrangements which have been already completed under the terms of the Resolution promulgated by the Government of India last October, in regard either to the purchase of waste lands or the redemption of the land revenue, are to be maintained, the present Despatch not being intended to have retrospective effect. Referring to the words of the 76th paragraph of the Secretary of State's Despatch, I am desired to request that a Report, showing the extent to which any such arrangements have been made, may be furnished as soon as possible.

3. As regards the sale of waste lands, the principal points upon which the provisions of the Resolution of October last must be modified, in conformity with the instructions now received, are as follows:—

4. Paragraph 29 of the Resolution, which fixed a uniform price throughout India of 2½ rupees per acre for uncleared land, and of five rupees per acre for land unencumbered with jungle, is cancelled; and it is ordered that the several Governors and Lieutenant Governors shall fix, after communication with the chief Local Authorities, a minimum price suited to the circumstances of the various descriptions of land which they may find to be at their disposal in each district of their Presidency or Province.

5. In modification of paragraph 30 of the Resolution, which prescribed the sale of the land by auction in the event of more purchasers than one being desirous to buy the same tract, it is ordered that in every case the land shall be put up to auction at an upset price and sold to the highest bidder.

6. The provision contained in paragraph 25 of the Resolution, admitting of possession being given to an applicant for land in anticipation of survey, will be modified, as directed in paragraph 11 of the accompanying Despatch. In conformity with these directions, the land applied for must, in every instance, be surveyed, and the boundaries marked out before it is advertised for sale. The applicant for the grant, it will be observed, is to be required to deposit the estimated cost of the survey, which will, of course, be restored to him if he should be eventually outbid for the land. It is of great importance that a ready agency should be provided for effecting the preliminary survey and marking out of boundaries, so that applicants for land may be subjected to no unnecessary delay.

7. The provision which is made in paragraph 31 of the Resolution for reserving adjoining lands at the requisition of those who take grants must be regarded as withdrawn, it being inconsistent with the general injunction for resort to sale by auction.

8. In the 21st paragraph of the Despatch, herewith enclosed, it is ordered that the provision in paragraph 50 of the Resolution, which limits the price to be paid on the commutation of a grant under the terms of that paragraph to five rupees an acre, shall be withdrawn. It is also observed by the Secretary of State, that the provisions generally which relate to the commutation

* BENGAL.

To Government of Bengal, Nos. 1864 and 1924, dated 7 and 19 October 1861.

From ditto, No. 47 A, dated 16 January 1862.

„ ditto, No. 233 A,	„ 13 March	„
„ ditto, No. 539 B,	„ 21 March	„
„ ditto, No. 344 A,	„ 19 April	„
„ ditto, No. 863,	„ 25 June	„
„ ditto, No. 994,	„ 2 July	„

NORTH-WESTERN PROVINCES.

To Government of the North-Western Provinces, Nos. 2033 and 2094, dated 7 and 19 October 1861.

From ditto, No. 1401 A, dated 24 December 1861.

„ ditto, No. 105 A, „ 15 February 1862.

To ditto, Nos. 1376 and 1487, dated 11 March 1862.

From ditto, No. 227 A, dated 31 December 1862.

„ ditto, No. 367 A, „ 22 April 1862.

„ ditto, No. 578 A, „ 27 May 1862.

„ ditto, No. 692 A, „ 1 July 1862.

PUNJAB.

To Government of Punjab, No. 2034, dated 7 October 1861.

Resolution of Government, No. 3264, dated 17 October 1861.

From Government of Punjab, No. 339, dated 25 April 1862.

commutation of existing grants under the new rules contained in paragraphs 33 and 50 of the Resolution require revision.

9. As it has already been found that some misunderstanding prevails in regard to the intention and scope of these paragraphs, it seems desirable that the present opportunity should be taken of stating what the Governor General in Council understands to have been their purpose. It appears to the Governor General in Council that it cannot reasonably be maintained that paragraph 33 of the Resolution was intended to include land the absolute sale of which has already been effected, but for which the purchase-money has not been wholly paid up, being, by the terms of sale, payable by instalments. It is obvious that in such a case there could be no question of the applicability or the inapplicability of the limitation of the new rules as to area, inasmuch as the owner has already purchased absolutely the whole area in his possession, whatever it may be; and therefore, though he may not have paid the whole of the purchase-money, it is manifest that the permission accorded by the concluding words of the paragraph to purchase absolutely as much or as little of the area as may suit him, has no application to, and could not possibly have contemplated, any such case. The 33d paragraph, of the Resolution can therefore, in the opinion of the Governor General in Council, be held applicable only to the case of those grantees who hold their lands on terms which do not comprise the right of acquiring an absolute ownership in fee-simple. Such grantees, it is the object of the 33d paragraph to declare, may obtain that right by commuting their grants under the rules for the sale of land in fee-simple.

10. Paragraph 50 of the Resolution declares the terms upon which commutation may be made in the case of one, and that a very large, class of existing grants. This paragraph, when modified according to the instructions of Her Majesty's Government, will stand as in the margin.*

* Grants which have already been given for a term of years progressively increasing rents, such as those in the Sunderbund will be treated as if the land were permanently settled, if the holder wishes to redeem the future land revenue at the highest rate fixed for any year during the currency of the grant, provided there is no right of occupancy other than that of the lessee, or that derived from him.

11. In the case of existing grants, which do not fall under the terms of paragraph 50, the conditions on which commutation under the new rules will be allowed may be settled with reference to the average value obtainable for waste lands of the same description in the district when sold by auction.

12. As it is highly desirable that persons who wish to avail themselves of the Resolution come to by the Government to dispose of waste lands by sale in fee-simple should be enabled to carry their intentions into effect with the least avoidable delay, and as the directions now received from Her Majesty's Government are on most points clear and specific, the Governor General in Council will not require that the detailed rules to be framed by the several Local Governments should be submitted for the sanction of the Government of India before they are acted on. A copy of the rules should, however, be forwarded as soon as they are finally approved by the Lieutenant Governor; and if on any point the intention of Her Majesty's Government should seem to the Lieutenant Governor to be doubtful, the question should be referred to the Governor General in Council for determination. As legislation will be necessary to give legal effect to the provisions of paragraph 19 of the Resolution, a Bill for that object will be introduced, on the meeting of the Governor General's Council for legislative purposes.

13. With respect to that part of the Secretary of State's Despatch which discusses the important questions of a redemption of the land revenue and of a permanent settlement, the Governor General in Council thinks it unnecessary at present to do more than point special attention to the conclusion which is announced in the 26th and the 63d paragraphs as to the extent to which redemption of the existing land revenue is to be permitted, and to the 72d paragraph, in which the conditions are finally stated, which, in the opinion of Her Majesty's Government, should be attained before a permanent settlement is conceded. It will be observed that this paragraph contemplates that the previous sanction of Her Majesty's Government should be obtained to the introduction of a permanent settlement in any district. Early steps should, therefore, be taken to obtain the information which will be required to enable the Local Government to submit the Report referred to in the 73d paragraph, as to the extent to which it may now be expedient to give effect to this important measure.

Enclosure 2, in No. 3.

Home Department.—Revenue.

From *E. C. Bayley, Esq.*, Secretary to the Government of India—

To the Secretary to the Government of Fort St. George, No. 4244.

Ditto - ditto - - - Bombay, No. 4245.

Sir,

Fort William, 15 August 1862.

WITH reference to the Despatch of the Secretary of State to the Government of Fort St. George, in the Revenue Department, No. 17, dated the 9th July last, communicating a copy of his Despatch to this Government, No. 14, of the same date, regarding the sale of waste lands, and the redemption of the land revenue, I am directed by the Governor General

in Council to forward, for the information of His Excellency the Governor in Council, the accompanying copy of a circular letter this day addressed on the subject to the Governments of Bengal, the North-Western Provinces, and the Punjab.

2. The Governor General in Council requests that a copy of the rules which the Government of Fort St. George may adopt for regulating the sale of waste lands in that Presidency, in conformity with the modified provisions now prescribed by Her Majesty's Government, be communicated to this Government as soon as possible.

3. His Excellency in Council further requests to be favoured, at an early date, with the views of the Government of Fort St. George as to the extent to which the important measure of a permanent settlement of the land revenue, subject to the conditions prescribed by Her Majesty's Government, is applicable to the territories under the Madras Presidency.

I have, &c.
(signed) *E. C. Bayley*,
Secretary to the Government of India.

Enclosure 3, in No. 3.

Home Department.—Revenue.

From *E. C. Bayley*, Esq., Secretary to the Government of India—

To the Secretary to the Government of Bengal, No. 4794.

Ditto - - ditto - - North-Western Provinces, No. 4795.

Ditto - - ditto - - Punjab, No. 4796.

Sir,

Fort William, 5 September 1862.

WITH reference to my letter No. 4206, dated the 15th ultimo, I am directed to suggest, for the consideration of the Honourable the Lieutenant Governor, that irrespectively of the applications which may be at once received for grants of waste lands, and which it will of course be necessary to dispose of with as little delay as possible, it would seem very desirable that measures should be taken, in any district where a demand for waste lands is likely to arise, to have the entire extent of such lands surveyed at as early a period as practicable, and marked out in suitable allotments, comprising each, as nearly as may be, the area specified in the Resolution of October last, viz. 3,000 acres, except where, for special reasons, it may be deemed advisable in any district to dispose of the land in smaller or larger allotments than that. In effecting a general survey and allotment of this land, regard will of course be paid to the arrangement of the lots, so that each may have convenient access to any stream that may flow through the lands, or any intended line of road communication.

2. If a map and register of the waste lands in every district, founded on such a survey and allotment as that above referred to, were available, it would probably operate in future as a great inducement to persons to apply for waste lands, from the readiness with which the revenue officers would be enabled to dispose of all applications, and from the perfect facility which would be afforded to every applicant of taking prompt possession of the grant allotted to him.

3. It may not, however, be necessary that an intending purchaser should, under all circumstances whatsoever, be strictly confined to one of the lots thus marked out, if for special reasons he should be desirous to select an area comprised within more than one of such lots, and if there should be no objection as regards the interests of other grantees to permitting him to do so. But in any such case a fresh demarcation would have to be made, entailing of course some delay and additional cost to the purchaser, who should be charged, in addition to a proportion of the cost of the general survey and demarcation, that of the fresh demarcation rendered necessary by his selection of particular lands.

I have, &c.
(signed) *E. C. Bayley*,
Secretary to the Government of India.

Enclosure 4, in No. 3.

Home Department.

From *E. C. Bayley*, Esquire, Secretary to the Government of India, to—

Secretary to Government, Fort St. George, No. 4881 A.

Ditto	-	-	ditto	-	-	Bombay	-	-	„	4882.
Ditto	-	-	ditto	-	-	Bengal	-	-	„	4883.
Ditto	-	-	ditto	-	-	N. W. Provinces	-	-	„	4884.
Ditto	-	-	ditto	-	-	Punjab	-	-	„	4885.
Ditto	-	-	ditto	-	-	Oudh	-	-	„	4886.
Ditto	-	-	ditto	-	-	Central Provinces	-	-	„	4887.
Ditto	-	-	ditto	-	-	British Burmah	-	-	„	4888.

Sir,

Fort William, 9 September 1862.

IN the last clause of paragraph 12 of my letter No. 4206, dated the 15th ultimo, it was intimated that as legislation would be necessary to give legal effect to the provisions of paragraph 19 of the Resolution of the Government of India, dated the 17th October 1861, a Bill for that object would be introduced on the meeting of the Council of the Governor General for legislative purposes. And in paragraph 56 of the Resolution of October 1861, it was declared that, “with a view to secure the Government and the public creditor against any loss of existing sources of Government income, provision would be made by law that all sums paid in purchase of waste lands, or in redemption of land revenue, or in otherwise forestalling the land revenue, should be paid to Commissioners, and periodically invested in such manner as the law might direct; that the Commissioners would report annually to Government the total amount they had received and invested, and the districts from which it had been received, and that their reports would be published.”

2. I am now directed by the Governor General in Council to transmit to you the accompanying draft of a Bill which has been prepared to carry out both the above objects, and to invite an expression of opinion on its provisions, and any suggestion for its improvement which the Government of Fort St. George may think proper to make.

3. The several provisions of the draft Bill, I am to observe, appear sufficiently to explain the manner in which it is proposed to accomplish the objects contemplated by the Bill. As regards the first of those objects, namely, the adjudication of claims to any waste lands ordered to be sold under the orders of the Government of India, dated the 15th ultimo, No. 4206, and the Despatch from the Secretary of State, a copy of which was circulated with those orders, it is sufficient to remark that the Bill will afford ample time to all persons who have any such claims to prefer, to bring forward the same, and will secure to them a full inquiry into their claims, and a speedy decision thereon by competent officers; while in what may be expected to be the very rare case of a person who may have been prevented by any sufficient cause from preferring his claim to the proper officer within the time allowed, provision is made for such person receiving, by way of compensation, on proof of his claim, the market value of the land claimed, as indicated by the price which it brought at public auction.

4. To permit such claims to lie dormant for the period of 12 years, the term fixed by the Law of Limitation, or to allow of the reversal of a sale actually made, would obviously deter purchasers from coming forward and investing their money in land on a title open to contest, and thus the object of the Government in offering waste lands for sale would be defeated, and the interests of the public would suffer. The case of these lands is, obviously, altogether exceptional, and may be properly treated as such.

5. Passing on to the second object which the Bill has in view, viz., to provide for the investment in Government securities of the proceeds arising from the sale of waste and other Government lands, and from the redemption of land revenue, it will be seen that it is proposed to except from the operation of this part of the Bill lands belonging to Government within the limits of any town, and also lands taken by Government for any public purpose, or for any purpose of public utility for which land may be taken by order of Government under any law for the time being in force.

6. In the town of Calcutta the Government is the proprietor of several parcels of land which are intended for the sites of public buildings. It may hereafter be found desirable not to build upon these sites, but to sell the land, and with the sale proceeds to purchase other sites. The money realised by the sale of the present sites would not, however, be available for the purchase of new sites if the sections of the Bill above referred to were not restricted in their application as proposed.

7. In the town of Rangoon, again, there is still a large quantity of land, the property of Government, remaining unsold; but provision has already been made for the sale proceeds of this land, whenever it may be disposed of, being applied to the construction of public works within the town of Rangoon. This provision could not be carried out if the land to which it applies were not excepted from the operation of the sections in question.

8. As regards land taken for public purposes, or by an order of Government under any law for the time being in force, for works of public utility, such as tramways, canals, and other works of the like character, which private individuals or companies may undertake to construct, it may happen that the land is not required, or that it may cease to be required for the purpose for which it was taken, and there seems no reason why the Government should not be allowed to dispose of any land so circumstanced, and with the sale proceeds buy other land required for any public purpose, or any work of public utility. This, however, could not be done without a provision, such as is contained in the last section but one of the Bill. Much of the land to which that section is intended to apply will have been purchased out of the current revenues or income of the country.

9. I am particularly desired to request that you will be good enough to move the Government of Madras to reply to this reference at their earliest convenience, for it is obviously desirable that the Bill should pass into law with as little delay as possible after the Council of the Governor General next meets for legislative purposes, as it probably will within a few weeks from this date.

I have, &c.
(signed) *E. C. Bayley*,
Secretary to the Government of India.

Enclosure 5, in No. 3.

A BILL to provide for the Adjudication of Claims to Waste Lands, and for the Investment of the Proceeds arising from the Sale of such Lands, and of other Government Lands, and from the Redemption of Land Revenue.

Preamble.

WHEREAS with a view to their speedy determination it is expedient to make special provision for the adjudication of claims which may be preferred to waste lands ordered to be sold on account of Government, and for the purchase of which application may be made; and whereas it is also expedient to make provision for the investment in Government securities of the proceeds arising from the sale of such lands, and of other Government lands, and from the redemption of land revenue; it is enacted as follows:—

Claim to lands to be preferred to Collector, &c. before day of sale.

I. When any claim shall be preferred to any waste land ordered to be sold on account of Government, the Collector of the district in which such land is situate, or other officer performing the duties of a Collector of land revenue in such district, by whatever name his office is designated, shall, if the claim be preferred within the period of the advertisement issued for the sale of such land, which period shall not be less than thirty days, proceed to make an inquiry into the claim, postponing the sale pending such inquiry, and the result of any suit to be instituted as hereinafter provided. The Collector or other officer as aforesaid shall call upon the claimant to produce any evidence or documents upon which he may rely in proof of his claim, and after considering the same, and making any further inquiry that may appear proper, shall dispose of the case by an order for the admission or rejection of the claim.

If claim established, the sale is to be stopped.

II. If the Collector or other officer as aforesaid shall consider the claim to be established, he shall stop the sale; but such sale may afterwards be proceeded with if, on an order issued by the Local Government to try the claim as provided in section IV. of this Act, the claimant shall fail to establish the same.

If claim not established, Collector, &c. shall report it to Government.

III. If the Collector or other officer as aforesaid shall consider that the claim should be rejected, he shall make an immediate report of the case for the orders of the Local Government, stating fully all the circumstances and the proofs adduced in support of the claim; and the Local Government on such report, or after calling for any further information that it may consider necessary, may order a suit to be instituted against the claimant to try his claim in a Court constituted as hereinafter provided.

If claim admitted, Government may, within twelve months, order a suit to be brought to try it.

IV. The Local Government may within 12 months after the date on which the claim of any claimant of waste land shall have been admitted under this Act by the Collector or other officer as aforesaid, direct a suit to be brought to try the claim of the claimant in a Court constituted as above.

A special Court to be constituted for trying claims

V. For the investigation and trial of claims under this Act, the Local Government shall constitute in every district in which there may be any waste lands capable of being sold, a Court consisting of three judges, of whom the Judge of the District, or the officer presiding in the principal civil court of original jurisdiction in the District, by whatever name his office may be designated, shall be one. Any one or more of the judges of which such Court shall consist, shall have power to make all such orders in the case as may be necessary prior to the hearing of the suit.

VI. Whenever

VI. Whenever any Court is constituted under this Act, notice thereof shall be given by a written proclamation, copies of which shall be affixed in the several Courts, and in the offices of the several collectors and magistrates of the district; and from the date of the issue of such proclamation no other Court shall be competent to entertain any claim belonging to the class of claims for the trial and determination of which such Court is constituted.

Notice to be given of the constitution of special Courts : claims not cognisable in other Courts.

VII. The Courts constituted under this Act shall be held at such place or places within the limits of their respective jurisdictions, as shall be considered most convenient.

Special Courts may be held when convenient.

VIII. In every suit instituted under this Act by order of the Local Government, the Collector or other officer as aforesaid shall appear as plaintiff on the part of Government, and the claimant of the waste land shall appear as defendant. Either party may appear by pleader or by agent. Provided, that if such other officer as aforesaid be the presiding officer of the principal civil court of original jurisdiction in the district, the Local Government shall appoint some other officer to appear as plaintiff in the case on its behalf.

Collector, &c., to be plaintiff, and claimant defendant in all suits.

IX. In suits instituted under this Act, except as hereinafter provided, the proceedings shall be regulated, so far as they can be, by the code of civil procedure. Provided, that in suits instituted by order of the Local Government no stamp duties shall be chargeable on the petition of plaint, or, during the progress of the suit, on any other writing or instrument under Schedule B., Act X. of 1862 (to consolidate and amend the law relating to stamp duties); but at the termination of the suit, if the claim of the claimant be dismissed, the Court shall calculate the amount of stamp duty which would have been paid in the suit had it been instituted in the ordinary mode, valuing the land in suit at the price which the Local Government shall by any order issued by it fix as the upset price at which waste land in the district in which such land is situate shall be put up for sale, and such amount shall be recoverable by Government from the claimant, in the principal civil court of original jurisdiction of the district, in the same manner as costs of suit are recoverable under the code of civil procedure.

Suits to be regulated by Civil Procedure Code : Stamps not chargeable in first instance.

X. The Court shall fix a day for the appearance of the parties, and for the hearing of the suit, of which due notice shall be given to the parties or their agents, and on the day so fixed the parties or their agents shall bring their witnesses into court, together with any documents on which they may intend to rely in support of their respective statements. If either party require the assistance of the Court to procure the attendance of a witness on such a day, he shall apply to the Court in sufficient time before the day fixed for the hearing of the suit, and the Court shall issue a subpoena requiring such witness to attend the Court on that day. It shall be competent to the Court to require the personal attendance of the claimant of the waste land on the day fixed for the hearing, or at any subsequent stage of the suit.

Procedure before hearing of suit.

XI. On the day fixed for the hearing of the suit, or as soon after as may be practicable, the Court shall proceed to examine the claimant of the waste land, or his agent (when his personal attendance is not required), and the witnesses of the parties, and upon such examination and after inspecting the documents of the parties, and making any further inquiry that may appear necessary, shall proceed to pass such order in the case as it may consider just and proper.

Procedure on hearing.

XII. No appeal shall lie from any decision or order passed under this Act, nor shall any such decision or order be open to revision.

No appeal.

XIII. The records of cases disposed of by Courts constituted under this Act, shall be deposited amongst the records of the principal civil court of original jurisdiction in the district in which the property in dispute is situate.

Records of cases where to be deposited.

XIV. No claim to any land, or to compensation or damages in respect of any land sold or ordered to be sold on account of Government as waste land, shall be received after the expiration of 12 months from the date on which such land shall have been delivered by the Government to the purchaser. If within 12 months after any lands have been delivered by the Government to the purchaser, any claimant shall prefer a claim to the land so delivered, or to compensation or damages in respect thereof in the Court constituted under this Act for the district in which the land is situate, and shall show good and sufficient reason for not having preferred his claim to the Collector or other officer as aforesaid within the period limited under section 1 of this Act, such Court shall file the claim, making the claimant plaintiff, and the Collector of the district or other officer as aforesaid (with the like provision as aforesaid, if such other officer be the presiding officer of the principal civil court of original jurisdiction in the district) the defendant in the suit, and the foregoing provisions of this Act shall be applicable to the trial and determination of the suit, except that the claim shall be upon a stamp paper of the value prescribed for petitions of plaints in regular suits, the land being valued as provided in section 9 of this Act, and any other instruments or writing in the case requiring to be stamped under Schedule B. of the said Act X. of 1862, shall bear the stamp prescribed by that schedule. The report of the officer employed to give delivery on the part of Government of the land sold, shall be conclusive evidence as to the date on which such delivery was made.

Claim to land if not preferred within 12 months, how to be dealt with.

If claim established, compensation to be given.

XV. If the Court be of opinion that the claim of the claimant is established, the Court shall not award the claimant possession of the land in dispute, but shall order him to receive from the Government Treasury, by way of compensation, a sum equal to the price at which the land was sold, in addition to the costs of suit, and such award shall be in full satisfaction of the claim of the claimant, and shall bar any future claim on his part in respect to the land in suit resting on the same cause of action, or on a cause of action which existed prior to the date of the sale of the land on account of Government.

Government may award compensation, though claim not regularly made.

XVI. Nothing in this Act shall be held to prevent the Local Government from awarding to any claimant of waste land sold on account of Government, on proof to the satisfaction of the Local Government of the claim of such claimant, (notwithstanding that he may not have preferred his claim either to the Collector or other officer as aforesaid, or to the proper Court constituted under this Act, within the period prescribed by this Act), such amount of compensation for the said land within the limit as to amount mentioned in the last preceding section, as to such local Government may seem proper.

Purchaser how to hold his lands.

XVII. Every conveyance or deed of grant executed by Government upon a sale of waste lands, shall be effectual to pass the lands thereby granted or conveyed, and the fee-simple and inheritance thereof as therein expressed, discharged from all prior or other estates, rights, titles, charges or incumbrances whatsoever, whether of the Government or of any other person; provided that nothing in this Act shall be held to exempt the purchaser of such land, or any person holding or claiming through or under him or the person named in any grant for the redemption of the Government revenue on any land, or any person holding or claiming through or under him, from any general taxation which may hereafter be imposed for imperial purposes, or from any local rates or taxes for the construction or maintenance of roads, or for any other public purpose.

Proceeds of waste lands, &c., to be invested in Government securities.

XVIII. All monies paid to Government after the passing of this Act, on account of the sale of any waste or other land the property of Government, or of the redemption of land revenue, shall be invested in Government securities, in the names of the Head Commissioner of Currency, appointed under Act XIX. of 1861 (to provide for a Government paper currency), and of the Master of the Mint at Calcutta as Commissioners for the purposes of this Act, provided that if the Head Commissioner of Currency at Calcutta be Master of the Mint, the Governor General in Council shall appoint another trustee or trustees in addition to the Master of the Mint, as Commissioner or Commissioners for the purposes of this Act.

Separate accounts to be kept.

XIX. All moneys invested in Government securities under this Act, and the interest accruing due on such securities, shall be entered in a separate account, to be rendered by the Head Commissioner as aforesaid at Calcutta to the Governor General in Council, at such time and in such form as the Governor General in Council shall direct, and the amount of such interest shall, from time to time, as it becomes due, be paid by the Accountant General to Government of India into the revenues of the Government of India under the head of "Interest on Government securities purchased with money realised by the sale of waste and other land the property of Government, and by the redemption of land revenue."

Annual statement to be published of monies invested.

XX. A statement shall be published annually at the close of each year, or as soon after as possible, in the official "Gazettes" of the several Presidencies, Lieutenant Governorships, and provinces under chief Commissioners, of the amount and nature of Government securities held under this Act, of the monies invested in such securities under this Act during the year, and of the interest which accrued thereon, and was paid into the revenues of the Government of India within the same period. The statement shall exhibit the foregoing particulars separately for each Presidency, Lieutenant Governorship, and province under a chief Commissioner.

Last three preceding sections not to apply to lands taken for public purposes, &c.

XXI. The provisions of the last three preceding sections of this Act shall not apply to the sale proceeds of any land within the limits of any town sold on account of Government, or of any land taken by Government for any public purpose, or for any purpose for which land may be taken by order of Government under any law for the time being in force, if such land should not be required or should cease to be required for the purpose for which it was taken, and should be sold on account of Government.

Interpretation. Number. Gender.

XXII. Unless the contrary appears from the context, words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number; and words importing the masculine gender shall include females.

— No. 4. —

REVENUE LETTER to India, dated 31st October (No. 21), 1862.

I HAVE had under my consideration, in Council, the Letter from your Excellency in Council, dated the 13th September last (No. 15), with which you transmit copy of the Orders which you have issued to the several Local Governments in pursuance of the instructions contained in my Despatch of the 9th July last (No. 14), regarding the sale of waste lands and the redemption of the existing land revenue.

2. You also forward copy of a Bill which you propose to introduce into the Council of the Governor General when it next meets for legislative purposes, "To provide for the adjudication of claims to waste lands, and for the investment of the proceeds arising from the sale of such Lands and of other Government Lands, and from the redemption of Land Revenue."

3. It does not appear that the Orders which you have issued call for any observation from me. The Bill will probably be found to require some modifications, after you shall be in possession of the views of the several Local Governments, to whom copies of it have been referred.

4. I take this opportunity of acknowledging the receipt of your letters of the 11th March (No. 6), and the 5th August (No. 13), to which no reply is required.

I have, &c.
(signed) C. Wood.

— No. 5. —

REVENUE LETTER from India, dated 26 September (No. 16), 1862.

Sir,

REFERRING to our letters noted on the margin, we have the honour to transmit the accompanying copy of a letter, addressed by the Government of Bengal to the Board of Revenue, under date the 30th ultimo, together with a copy of the "Rules for the sale of unassessed waste lands and for the redemption of the revenue of such lands already granted for a term of years," promulgated by the Lieutenant Governor in conformity with the provisions contained in your Despatch, No. 14, dated the 9th of July. We consider the rules to be free from any substantial objection.

No. 13 of 1862,
dated 5th August.
No. 16 of 1862,
dated 13th September.

2. We also forward herewith copy of a correspondence* with the Landholders' and Commercial Association relative to the interpretation to be put on the words, "arrangements actually completed," as used in the 76th paragraph of your Despatch above quoted, and to other points regarding the sale of waste lands and the redemption of the land revenue.

* From Landholders' and Commercial Association, dated 2 September 1862.

To Landholders' and Commercial Association, No. 5236, dated this day.

We have, &c.
(signed) Elgin and Kincardine.
R. Napier.
H. B. Harington.
W. Grey.

Enclosure 1, in No. 5.

From J. D. Gordon, Esq., Officiating Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue, No. 377 T, dated on board the yacht "Rotas," the 30th August 1862.

I AM directed by the Lieutenant Governor to forward, for the information of the Board of Revenue, copy of the "Rules for the sale of unassessed waste lands, and for the redemption of such lands already granted for a term of years," which have been approved and promulgated

promulgated by the Lieutenant Governor, under the instructions contained in paragraph 2 of the letter No. 4206, dated 15th instant, from the Secretary to the Government of India in the Home Department, published in the "Calcutta Gazette" of 16th August, together with the Despatch from the Secretary of State, regarding the sale of waste lands and the redemption of the land revenue.

2. In preparing these Rules, the Lieutenant Governor has had the advantage of referring to the Draft Rules of Procedure which the Board submitted to the late Lieutenant Governor with your letter, No. 914, of 28th December, in conformity with paragraph 20 of the Resolution of the Supreme Government, dated 17th October 1861. Those Rules of Procedure had been revised by Sir J. P. Grant, and forwarded for the sanction of the Supreme Government. With the assistance of these documents, the Lieutenant Governor has now drawn up a new set of rules, in which the amendments and modifications prescribed by the Despatch of the Secretary of State have been introduced. These rules will be immediately published in the "Calcutta Gazette;" and the Board are requested to issue them as quickly as possible, in the form of a Circular, with such supplementary instructions for the guidance of public officers as may appear to be necessary.

3. The Lieutenant Governor desires me to draw the attention of the Board to the following points in the rules, which are either new in themselves, or require further action to be taken by the Board.

4. In Rule II. it is provided that if, for special reasons, in particular localities, a lower maximum area than 3,000 acres should be determined upon, it will be duly notified hereafter. This has reference to lands other than those to be reserved under Rule XXII., which, from their vicinity to stations, or other peculiar local circumstances, it may be desirable to dispose of in smaller lots. A list of any sites coming under this description should be prepared by the Board for notification hereafter.

5. In Rule III. it will be seen that survey and demarcation are held, in conformity with the views of the Secretary of State, to be the first essential preliminary, and no lot can be advertised for sale until the process of survey and demarcation is complete. This rule, the Board will observe, renders it imperatively necessary that a competent Surveyor should be at once appointed in each district where applications are made for tracts of unsurveyed lands.

6. In Rule VII. power is given to the Collector to postpone the sale of any lot if he deems it necessary to do so. Such a contingency might arise where any delay had occurred to prevent the adjudication of claims preferred to the lot before the day originally fixed for sale. But the sale should always be held, if possible, on the day first advertised; and, if postponed, due notice should be given of the day on which it will actually take place. A form of advertisement should be prepared and circulated by the Board.

7. A draft of the deed of conveyance to which Rule IX. refers should be prepared by the Government Solicitor in communication with the Board, and circulated to the several Collectors for their use and guidance. In all cases where only one-tenth of the purchase money is paid, the deed should provide for the hypothecation and sale of the lot, in case of failure to pay the full value in 10 years, as provided in Rule XV. In the preparation of this deed due attention must be given to the principles laid down in paragraphs 11, 12, 13, 14 and 15 of the Resolution of the Governor General in Council, dated the 17th October 1861, and to the several points mentioned in the rules. It should be expressly stipulated that a strip of land at 20 feet width shall be reserved as a towing path along each bank of every navigable river or stream.

8. Rules XI. and XII. provide for the interference of the Commissioner of the division in cases where any claim to a right in the land is established by a third party. In respect to Darjeeling, the Board of Revenue will exercise the power which is vested in the Divisional Commissioners elsewhere.

9. Rule XVII. provides that the ordinary upset price shall be two rupees eight annas an acre, no deduction being made on any account from the total area of the lot. There will not be many cases in which it will be necessary to raise the upset price to the maximum of (10) ten rupees an acre, as such specially valuable land would doubtless find its true value at public auction. But the power of raising the upset price to 10 rupees an acre should be maintained for the protection of the interests of Government.

10. In Rule XIX. the conditions are laid down on which grants of waste land made under previously existing rules may be redeemed. The Board are requested to explain to Collectors the rule for calculating the present value of such grants, subject to the limitations laid down. Illustrations of the mode of calculation would be most instructive to the local officers.

11. The Board are requested to submit, for the information of the Government, a quarterly statement, commencing from 1st September, of all transactions which are reported to them under Rule XX.

12. A list of the lands in each district which it is proposed to reserve altogether from sale, for the purposes specified in Rule XXII., should be obtained by the Board from the local authorities

authorities without any delay; and after careful revision of the whole, these lists should be combined by the Board in one general list, and submitted with their remarks for approval and publication.

13. Rule XXIII. has reference to those applications which were made on the faith of the Resolution of the Governor General in Council, dated 17th October 1861. As such applications form a class of cases which must be dealt with separately on their own merits, and in accordance with the terms of the Resolution, so far as is consistent with law and a due regard for public interests, it is not desirable to enter into further discussion regarding them here. A special report on them must be prepared as soon as possible, in accordance with the 76th paragraph of the Despatch of the Secretary of State.

14. The Lieutenant Governor will now briefly notice two of the points raised in your letter, No. 914, of 28th December 1861, to which reference has been already made in the 2d paragraph of this letter.

15. It appears to the Lieutenant Governor that the register proposed by the Board in their Draft Rule, No. II. should be prepared by the Collectors for their own use and information, as well as for the information of intending applicants, who may all be allowed to have access to it. But it is not necessary that the rules should provide for the compilation of such a register. The form of the register should be the same as that of the report of sales made to the Board; the report, in fact, might be in the form of an extract from the register. With regard to the question whether one individual may purchase more than one lot of 3,000 acres in adjacent localities, it appears to the Lieutenant Governor that there is nothing to prevent such a contingency. The spirit of public competition will suffice to keep any such speculative purchases within their due limits.

16. The Board will observe that the clause in the rules which provides for the redemption of prospective revenue in grants of waste land already made does not apply to the case of grants made under the old Darjeeling rules; these grants being, in fact, not grants, but sales of land at an upset price of (10) ten rupees an acre.

NOTIFICATION.

The following rules for the sale of unassessed waste lands, and for the redemption of the revenue of such lands already granted for a term of years, in the Lieutenant Governorship of Bengal, are published for general information:—

Rule I. All unassessed wastelands in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed, and to be capable of revival, are available for purchase under these rules, unless specially reserved under Rule XXI.

II. No greater quantity of land than 3,000 acres shall be sold in one lot, except with the express sanction of the Government. If, for special reasons, in particular localities, a lower maximum area than 3,000 acres should be determined upon, it will be duly notified hereafter.

III. Every lot shall be compact, and shall include no more than one tract of land within a ring fence; and when the land touches a public road or a navigable river, the length of the road, or river frontage, shall not exceed one-half the depth of the lot. No lot will be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated in consequence of an application for purchase. The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If, on completion of the survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

IV. Applications for the purchase of waste land shall be made to the Collector of the District, and every application shall contain the following particulars:—

1st. The estimated area of the land applied for.

2d. The situation of the land and its boundaries as accurately as can be ascertained.

V. If the Collector be satisfied that the land applied for is available for purchase, and within the conditions prescribed in Rules II. and III., and if it have been previously surveyed and demarcated, he shall advertise the lot for sale on a given day at an upset price of not less than Rs. 2. 8. an acre on the whole area. The advertisement shall be published in the Collector's office, in the court of the principal judicial officer of the district, and at the moonsiff's court (if there be one), and police station within the limits of which the lands are situated.

VI. If the Collector be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed and its boundaries demarcated; the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey the advertisement of sale shall be published as above.

VII. The day of sale to be named in the advertisement shall not be less than 30 days from the date of publication, and the sale shall be held at the Collector's office. The sale may be postponed, if, in the Collector's judgment, it should be necessary, due notice being always given of the date on which the sale will be held.

VIII. If before the day of sale no claim of proprietary or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price, if there be no higher bid.

IX. On payment of one-tenth of the purchase money, and of all expenses of survey, demarcation, advertisement, and sale, the purchaser shall receive a deed (in a form which will hereafter be issued by the Board of Revenue) signed by the Collector, conveying to him the lot, in full hereditary and transferable proprietary right, free for ever from all demand on account of land revenue, but subject, nevertheless, to all general taxes and local rates imposed by law, and to any other claim, whether of the Government or otherwise, that may have been or may hereafter be established in any court of competent jurisdiction.

X. If before the day of sale a claim of proprietary or occupative right in any part of the land be preferred, the Collector shall investigate the claim, and, if satisfied that it is groundless, shall reject it and proceed with the sale.

XI. If on investigation any such claim should appear to be well grounded, the Collector may either reject the application for purchase of the lands, or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner.

XII. The Commissioner may direct the Collector either to reject the application or to proceed with the sale of the land, either unreservedly on the conditions prescribed in Rule IX., or, if any claim to right of proprietorship, occupancy, or user in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected, the amount deposited as cost of survey will be forfeited.

XIII. On being put in possession of the lot, the purchaser shall be bound to erect as many substantial boundary marks of masonry as the Collector may think necessary.

XIV. If the land be purchased by any person other than the applicant, the estimated cost of survey deposited by the applicant shall be returned to him.

XV. The purchaser may, if he choose, pay the whole of the purchase money when the lot is sold or the deed delivered to him. Or, if he choose, he may pay a portion, not being less than 10 per cent., at the time of sale, and the remainder in instalments at any future time not being more than 10 years from the date of sale. In the latter case simple interest at the rate of 10 per cent. a year will be charged on the unpaid portion of the purchase money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale by order of the Collector if the said amount be not paid within the stipulated period.

XVI. If the purchaser fail to pay one-tenth of the purchase money and all other expenses within three months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser, whose deposit will also be forfeited.

XVII. The upset price will be calculated on the whole area of the lot without any deduction on any account whatever. Ordinarily, the upset price will be two rupees eight annas an acre, but in special cases the Collector, with the sanction of the Commissioner, may put a higher upset price on any lot, provided that the upset price of available waste lands shall in no case exceed 10 rupees an acre.

XVIII. If it should at any time be found that the same land has been included in more than one lot, it shall be held to belong to the lot first sold, and all subsequent sales shall, as regards such land, become null and void. In the event of any dispute regarding the boundary of two or more adjoining lots, the Collector may, on the application of any one of the parties, readjust the boundaries of the lots, and his decision shall be final. The price paid by any subsequent purchaser for land thus excluded from his lot will be refunded to him with simple interest at 10 per cent.

XIX. All grants of waste land already made for a term of years under previously existing rules, in which no right of occupancy or proprietorship exists, except that of the grantee or that derived from him, will be treated, for the purposes of this rule, as if the land were permanently settled; and the grantees or their representatives may redeem the future land revenue of such grants or of any compact part of them in perpetuity for an amount equal to the present value of all future stipulated annual payments calculated at five per cent. interest, provided the said amount is not less than two rupees eight annas an acre on the whole area of which the revenue is redeemed.

XX. All sales of waste land, and all redemptions made under these rules in each division, will be reported immediately to the Board of Revenue in such form as the Board may direct; but no sale of waste lands once made by the Collector in conformity with the rules will be disturbed by any higher executive authority.

XXI. Reserves

XXI. Reserves of grazing and forest land, of land for the growth of firewood near towns and stations, of building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government. A list of these lands is under preparation by the Board of Revenue, and when it has been approved by the Government it will be published in the "Gazette."

XXII. Lands for the purchase of which application has been made under the Resolution of the 17th October 1861, will, if such application were duly registered, be dealt with in accordance with the terms of the said Resolution so far as the law allows.

XXIII. From and after the date of the promulgation of these rules, no fresh applications for grants of waste land under any previous rules will be entertained.

On board the yacht "Rotas,"
30 August 1862.

By Order, &c.
(signed) J. D. Gordon,
Offg. Junior Secy. to the Govt. of Bengal.

Enclosure 2, in No. 5.

From J. Beckwith, Esq. Secretary to the Landholders' and Commercial Association, to E. C. Bayley, Esq. Secretary to the Government of India; dated Calcutta, 2 September 1862.

THE Despatch of the Secretary of State for India, No. 14, of the 9th July, on the subject of the Resolution of the Governor General in Council of the 17th October 1861, regarding the sale of waste lands, together with the circular instructions of the Government of India of the 15th August, as published in the Government "Gazette," have been under the consideration of the committee of this association; and I am directed to ask for information as to the meaning intended to be conveyed by the term "completed" as used both in the Despatch of the Secretary of State, and in the circular of the Government of India. The Despatch states as follows:—

"It is not, however, intended that these orders should have retrospective effect, and if any arrangements in regard either to the purchase of waste lands or the redemption of land revenue have been actually completed under the provisions of the Resolution, they must, so far as is compatible with the law, be scrupulously carried into effect."

And the circular of the Government of India makes use of the expression "all arrangements which have been already completed."

Many parties, whose applications for grants of lands are in different stages of progress, are naturally anxious to know as early as possible the exact position in which they stand, and as there is some ambiguity about the expression used, the committee trust that they may not be considered as troubling Government unnecessarily in asking for an explanation.

In your letter No. 3909, of the 2d ultimo, in alluding to the same subject, you say "that in any case in which land has been already actually assigned to an applicant by a district officer, such assignment will be upheld by Government," and the committee trust that at least as liberal and comprehensive an interpretation will be given to the term completed as is contained in the sentence I have quoted from your letter of the 2d.

The committee understand that the legislation to give legal effect to the provisions of paragraph 19 of the Resolution, will have relation only to the mode of dealing with any rights which may be established by third parties in land sold, and will affect only those third parties, and the Government who undertake to make compensation whilst "the possession of the party to whom the land has been granted *bonâ fide* shall not be disturbed."

I am desirous to say that the committee will be glad to receive confirmation of the meaning they attach to this part of the subject, as nothing so discourages enterprise in the purchase and reclaiming of waste lands as uncertainty of title; and in case the legislation is not immediate, it is very desirable to have all doubts on the subject set at rest.

I am also directed by the committee to submit some remarks on the alterations introduced by the Despatch of the Secretary of State, and the circular instructions of the Government of India, in the system marked out by the Resolution of the 17th October 1861, for the sale of waste lands in fee-simple.

These alterations are essentially comprised in the point of selling no land except by public auction at upset prices to be hereafter fixed, in place of selling at a uniform and moderate price already fixed to the party applying for the particular parcel of land, without resorting to auction, excepting when there should be more than one applicant for the land.

The committee consider the change in the system to be unfavourable to the object which the Resolution of the 17th October 1861 was intended to promote—the settlement of Europeans in India, and which object is declared by the Secretary of State to have his approval in part of paragraph 24, as follows:—

"I fully admit the advantages which have arisen, and which in future are likely to arise, for the settlement of Europeans in many parts of India, by the introduction of new or improved processes of agriculture and manufacture, and by the moral influence of their example on the neighbouring population; and I am most anxious that every facility should be given to persons desirous of settling in India with that object in view."

Before the Resolution of the 17th October last was issued, the subject had received most mature consideration, and all parties likely to throw light upon it had been communicated with, and the suggestions they made had been weighed; the question of price of land, and the mode of selling had been especially discussed, and as the present members of the Government were not then in office, I may be allowed to suggest shortly the grounds for the decision come to.

The mode of proceeding adopted in many of the Colonies, and now ordered to be followed, very naturally suggested itself; but it was pointed out and admitted that circumstances were essentially different, and required a different mode of treatment. In the Colonies land is usually sold in allotments of small extent, which are in the immediate vicinity of a population already settled in the neighbourhood; and being of small extent, the quality of the land in each lot is easily ascertained, whilst in India the districts where waste lands are likely to be taken up, are at great distances from the centres where applicants are likely to be found, and the quantities of land applied for are so large, that no one lot can be expected to contain land of a uniform quality, or indeed to be without a large proportion of land altogether unfit for the particular cultivation which the settler may propose to introduce.

If Assam and Cachar are considered with reference to Calcutta, and the Nagpore country with reference to Bombay, it will be seen that parties who wish to enter upon the cultivation of waste lands will have to undertake an examination of the country, which will require much time and involve much expense and personal exposure, and after all this some one who has never stirred from home, but has watched what was going on may at the auction outbid those who have made the selection.

It is very probable that, under all discouragement, there will be a certain number of applicants; but undoubtedly the uncertainty attending the new system will deter great numbers from seeking to become purchasers of waste lands, and will in so far discourage that settlement of Europeans which the Secretary of State has expressed his anxious desire to encourage.

With regard to the upset price to be fixed, I may observe, that Rs. 2. 8. and five rupees were fixed not only as a fair equivalent for lands of the best quality, but also with reference to the old existing rules for the grant of waste lands. In Assam, Dacca, Cachar, and Silchar grants were made for 99 years on the following terms:—

One-fourth of the grant to be exempted from assessment in perpetuity.

Three-fourths to be rent free for 15 years, and to pay three annas per acre for 10 years, and six annas per acre for 74 years.

In the Sonderbunds:—

One-fourth for ever exempt from assessment.

Three-fourths rent free for 20 years.

21st to 30th year	$\frac{1}{2}$ anna per beegah	=	$1\frac{1}{2}$ anna per acre.
31st to 40th	1	=	3
41st to 50th	$1\frac{1}{2}$	=	$4\frac{1}{2}$
51st to 99th	2	=	6

Now if the purchase money under the resolution of 17th October is considered with reference to the terms of these leases of 99 years, the rate will be found a very full equivalent.

It may be considered that it would be more proper to address these remarks to the Local Governments, who are to fix the prices of land in their districts; but it is necessary, in deprecating the change that is being made, to show generally that the prices fixed before were ample, and had not been fixed without due regard to the interests of the State.

The great delay that the new orders must cause in the introduction of a system which the public had thought fairly set on just nearly a year ago, and the ever-recurring delay which the substitution of auction sales must necessarily cause in all future individual cases is one of the most unfortunate effects of the change of system, particularly occurring as it does at a time when events in America afford such encouragement and opportunity for introducing European enterprise and capital to the country.

Enclosure 3, in No. 5.

Home Department—Revenue.

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association (No. 5236); dated, Fort William, 26 September 1862.

Sir,

I AM directed to acknowledge the receipt of your letter, dated 2d instant; and, with reference to the request preferred in the first paragraph thereof, "for information as to the meaning of the word completed, as used in the Despatch (No. 14, dated 9th July last) of the Secretary of State and the Circular of the Government of India," to point out, that by the 22d of the rules recently published by the Government of Bengal a very liberal interpretation

tation has been given to the Secretary of State's Despatch upon the point; and that as the Government of India does not desire to narrow the view taken of the matter by the Lieutenant Governor, it does not appear that any further exposition of the question is required.

2. The rule above alluded to, I am desired to observe, goes further than the assurance given in my letter, No. 3909, dated 2d ultimo, which has been cited in your letter under reply, with an expression of the committee's hope, that a less liberal interpretation will not be given to the term "completed."

3. With reference to paragraph 4 of your letter, I am desired to state, that the intention of the Governor General in Council, in regard to the legislation necessary to give effect to paragraph 19 of the Resolution, dated 17th October 1861, has been correctly apprehended by the association so far as the position of the grantees is concerned.

4. Referring to the last 10 paragraphs of your communication containing certain remarks made by the Association on the alterations introduced by the Despatch of the Secretary of State in question, and the consequent instructions of the Governor General in Council, in the system marked out by the Resolution of 17th October 1861, I am desired to inform you that a copy of the correspondence will be transmitted to the Secretary of State.

I have, &c.
(signed) *E. C. Bayley*,
Secy. to the Govt. of India.

— No. 6. —

REVENUE LETTER from India, dated 27 September (No. 17), 1862.

Sir,

WE have the honour to forward the special narrative of the proceedings of the Government of Bengal, noted on the margin, transmitting papers regarding the sale of unassessed waste lands, and the redemption of revenue of such lands, already granted for a term of years.

No. 5 dated 23
September 1862

We have, &c.
(signed) *Elgin and Kincardine*.
R. Napier.
H. B. Harrington.
W. Grey.

Government of Bengal.—Special Narrative.—23 September (No. 5), 1862.

THE papers noted on the margin are forwarded for the information of the Right Honourable the Secretary of State for India, with reference to his Despatch, Revenue, No. 14, dated 9 July 1862.

Letter to the Secretary to the Board of Revenue, Lower Provinces, No. 2120, dated 17th instant.
Letter to C. B. Stewart, Esq., dated 19th instant.

(signed) *A. Eden*,
Officiating Secretary to Government of Bengal.

Enclosure 1, in No. 6.

From the Honourable *A. Eden*, Officiating Secretary to the Government of Bengal, to the Secretary of the Board of Revenue (No. 2039), dated the 17th September 1862.

Sir,

IN continuation of the Junior Secretary's letter, No. 377 T., dated 30th ultimo, I am desired to say that, in dealing with applications for waste lands which were made and registered on the faith of the Resolution of the Governor General in Council, dated 17th October 1861, the Board must be careful that all the conditions prescribed in that Resolution are strictly fulfilled.

2. The advertisement required in paragraph 17 of the Resolution must be especially insisted on, so that an opportunity may be given to other intending purchasers, who may, perhaps,

perhaps have been waiting for the issue of the rules, to compete for the same land; and also that persons claiming to have proprietary rights, or rights of occupancy, may be enabled to come forward and state their claim, with a view to their being dealt with under the terms of the Resolution; the application for the land being rejected where such claims cannot be legally set aside.

3. Where there is more than one applicant for the same land, the lot must be put up to auction, and the terms of sale will then be there laid down in the rules published under the notification of the 30th ultimo, a copy of which was forwarded to the Board in the Junior Secretary's letter of the same date.

4. I am further to suggest, for the Board's consideration, whether much inconvenience to intending purchasers, and interruption to ordinary public business, would not be obviated by fixing and notifying periodical dates for the sale of all lots of land applied for under the new rules. For the present, however, the sales should not be less frequent than once a month.

Enclosure 2, in No. 6.

From the Honourable *A. Eden*, Officiating Secretary to the Government of Bengal, to
C. B. Stewart, Esq., (No. 2120), dated the 19th September 1862.

Sir,

I AM directed to forward to you the orders passed by the Lieutenant Governor on each of the four questions which you have submitted to his Honor, in regard to the rules for the sale of waste land, published in the "Calcutta Gazette" of the 17th instant.

2. I am at the same time to inform you that the rules, which provide for the redemption of prospective revenue in grants of waste land already made, do not apply to the case of allotments made under the old Darjeeling rules; these allotments being, in fact, not grants, but sales of land at an upset price of 10 rupees an acre.

Questions.

1. Comparing the 6th Rule with the latter part of the 12th Rule, how is an applicant to make sure that no claim of proprietorship or occupative right exists in the land he applies for; and if such claims are established, will the cost of survey required to be deposited by the applicant, under Rule 6, be forfeited as set forth in Rule 12, if the application for the purchase of the lot be rejected?

2. By the old rules, one-fourth of the whole area of a grant was permitted to be held rent-free in perpetuity as an allowance for unculturable land. I presume, under the 17th Rule of the Notification, no such deduction will be allowed?

Answers.

1. There are two classes of waste lands:

(a.) Those which have already been surveyed by the Government, and of which a correct map is in the hands of the Collector. In this case the lands applied for can be marked off on the map, and advertised for sale, and the applicant will be put to no expense.

(b.) Those which have not yet been surveyed by the Government. In respect to these lands (which must ultimately be regularly surveyed by the Government), if an applicant desires a preliminary survey, with a view to purchase, it is but fair that he should bear the expense, and that the risk of the land being adversely and successfully claimed should be borne by him. The cost of the preliminary survey (which is to be a rough survey, sufficient to ascertain gross area and identify boundaries), will not be great; and the applicant, with the assistance of the Collector, who also must be satisfied (under Rule 6) that adverse claims do not exist, may easily ascertain whether such claims are likely to be made, and admitted, or not. It is only when an application for waste lands is absolutely rejected that the deposit is to be forfeited; but, under Rule 12, applications may be conditionally complied with, and the projected law will afterwards render the sale of adverse rights compulsory.

2. No deduction will be made on account of unculturable land.

3. What

Questions.

3. What interpretation does the 19th Rule bear as regards holders of old grants in Bengal?

I apprehend that the redemption of the land revenue of such old grants will be regulated on the principle upon which deferred annuities are calculated?

Will the amount of purchase-money or price of redemption be ascertained on the calculation of the interest that would accrue from the amount paid up equalling the rate of assessment during a period of 20 years, or how?

Answers.

3. The redemption of future payments of revenue will be calculated precisely as an actuary would calculate the present value of a deferred annuity, with interest at five per cent.

Thus, if a beegah of land is held rent free for 20 years, at 4 annas a year for the next 20 years, 8 annas a year for the next 20 years, and at 12 annas a year thereafter in perpetuity, the amount for which all future payments may be redeemed at once would be calculated thus:—

Present value, at five per cent.,	<i>Rs. a. p.</i>
of a deferred annuity of 4	
annas, from the 21st to the	
40th year - - - -	
Ditto - ditto - of 8 annas,	
from the 41st to the 60th	
year - - - -	
Ditto - ditto - of 12 annas,	
from the 61st year for ever	

TOTAL - - - *Rs.*

The amount will be found to be very small.

4. With reference to the 22d Rule, how will it apply in the following cases:—

In the case of all companies or individuals who applied for the redemption of their grants, under the Resolution of the 17th October 1861, whose applications were registered by the local authorities, and deposits received, but subsequently returned to the applicants?

In the case of those who applied, under the Resolution of 17th October 1861, for the redemption of their grants, whose applications were registered by the local authorities, but whose deposits tendered at the time were refused to be received?

In the case of those who applied for grants, under the Resolution of the 17th October 1861, but whose applications would neither be received or registered by the local authorities in terms of that Resolution, and whose applications, on such refusal, were put in under the old rules, and granted under those rules?

4. 1st Case.—Registration is enough to bring these applications under the Resolution of 17th October 1861. Return of deposit makes no difference.

2d Case.—The same registration alone is sufficient.

But it will be found that the terms of redemption offered by the new rules are more favourable generally than those given by the Resolution.

3d Case.—Those who applied, under the Resolution, but whose applications were not received or registered, have no claim to receive lands under the Resolution of 17th October. The Resolution neither authorised persons to apply, nor warranted Collectors in receiving and registering applications till rules should be issued by the Local Government, and no such rules ever were issued. Still where an applicant has been led to expect, by the act of a Collector, that his application would be complied with in the terms of the Resolution, he is not to be disappointed.

Grants under the old rules may be commuted under Rule 19.

— No. 7. —

REVENUE LETTER from India, dated 6th October (No. 18), 1862.

Sir,

IN continuation of our letter, No. 16, dated the 26th ultimo, we have the honour to transmit for your information a copy of a circular,* which we have addressed to the Local Governments on the subject of the disposal of forest lands.

* Dated 26th September 1862.

We have, &c.

(signed) *Elgin and Kincardine.*
R. Napier.
H. B. Harington.
W. Grey.

Enclosure, in No. 7.

Home Department—Revenue.

CIRCULAR.

From *E. C. Bayley*, Esq., Secretary to the Government of India,

To—

The Secretary to the Government North Western Provinces (5331).
 The Secretary to the Government of Punjab (5332).
 The Secretary to the Government of Bengal (5333).
 The Secretary to the Government of Madras (5334).
 The Secretary to the Government of Bombay (5335).
 The Chief Commander of Oude (5336).
 The Chief Commander of Central Provinces (5337).
 The Chief Commander of British Burmah (5338).

Sir,

Fort William, 26 September 1862.

IN continuation of my previous letters noted in the margin,* and with reference to No. 21 of the rules for the sale of unassessed waste lands lately published by the Government of Bengal, I am directed by the Governor General in Council to express a hope that great caution will be exercised in regard to the disposal of forest lands, and to state the opinion of His Excellency in Council, that as a rule, such lands should be reserved until it can be more clearly seen, than it is at present what may be required from them in the interests of the general public.

2. Already it is apparent that great difficulty may be experienced not only in procuring wood of a superior kind required in great quantities for railway sleepers, but also in some parts of India in obtaining sufficient supplies of fire-wood for consumption on the railways, where coal at a moderate cost cannot at present at all events be supplied.

3. These circumstances seem to make it peculiarly expedient that the Local Governments should be very careful in regard to the further alienation of the forest lands which still remain at the disposal of the State.

I have, &c.

(signed) *E. C. Bayley*,

Secretary to the Government of India.

— No. 8. —

REVENUE LETTER from India, dated 30th December (No. 22), 1862.

Sir,

WE have the honour to forward herewith, for your information, a copy of the papers noted in the margin,† containing revised rules prescribed by the Government of the North Western Provinces, for regulating the sale of waste lands in those provinces, and the notification issued by that Government relative to the redemption of the land tax.

2. We also transmit a copy of the correspondence noted in the margin,‡ from which you will perceive that we have approved of the course which his Honor the Lieutenant Governor proposes to follow in respect of the publication of a tabulated description of waste lands suitable for grants in the North Western Provinces, in preference to the execution of the general survey, suggested in our circular of the 5th September last, which accompanied our Despatch, No. 15, of the 13th idem.

We have, &c.

(signed) *Elgin and Kincardine*.*R. Napier*.*H. B. Harington*.*H. S. Maine*.

* To Bengal, No. 4206, dated 15th August; No. 4794, dated 5th September; No. 4883, dated 9th September.

† To North Western Provinces, No. 4206, dated 15th August; No. 4795, dated 5th September; No. 4884, dated 9th September.

‡ To Punjab, No. 4206, dated 15th August; No. 4796, dated 5th September; No. 4885, dated 9th September.

To Madras, No. 4798, dated 5th September; No. 4881A, dated 9th September.

To Bombay, No. 4799, dated 5th September; No. 4882, dated 9th September.

To Chief Commissioner, Oude, No. 4886, dated 9th September.

Ditto Central Provinces, No. 4887, dated 9th September.

Ditto British Burmah, No. 4888, dated 9th September.

† Letter from Government, North Western Provinces, No. 1044A, dated 17th September 1862.

‡ Letter from Government, North Western Provinces, No. 1161A, dated 17th October 1862.

Letter from Government, North Western Provinces, No. 7330, dated 18th instant.

Enclosure 1, in No. 8.

From Sir *George Couper*, Baronet and C.B., Secretary to the Government of the North Western Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India, No. 1044A; dated Nynee Tal, 17 September 1862.

WITH reference to paragraph 12 of your Circular No. 4206, dated 15th ultimo, I am directed to transmit, for the information of his Excellency the Governor General in Council, the accompanying copy of revised rules for the sale of waste lands in fee-simple, which have been prepared by the Sudder Board of Revenue, and which, appearing to the Lieutenant Governor to be in accordance with the Resolution of the Government of India, No. 3264, dated 17th October 1861, as modified by the Despatch of the Right Honourable the Secretary of State, No. 14 (Revenue) dated 9th July 1862, have received his approval.

2. Copy of a Notification, which has been issued, giving effect to the instructions of the Right Honourable the Secretary of State in regard to the redemption of the land tax, is also forwarded for the information of His Excellency in Council.

3. The points adverted to in paragraphs 2 and 13 of your circular above cited will be separately reported on hereafter.

RULES OF PROCEDURE.

The attention of all officers in charge of districts containing unassigned waste lands is directed to the first portion of the Revenue Resolution of the Viceroy in Council, No. 3264, dated the 17th October, to the provisions of which, as modified by the further orders of the Supreme Government, dated 15th August 1862, No. 4206, they are required to give full and immediate effect.

2. The Collector should at once proceed to prepare a statement of all special tracts reserved from the operation of this circular, under paragraphs 23 and 24 of the first named orders, as being required for forest purposes, for grazing or fire-wood preserves, for building sites, or for any other public object. This statement should be exposed in his office, and facilities should be given to intending applicants to make themselves aware of its contents.

3. When an application for the assignment of a specific tract of waste land is received, the Collector will first consider whether any objection or special limitation is required by reason of the land being required for any of the above-named purposes, and in the event of such being the case, and the applicant still prosecuting his demand, the Collector will report the matter for the information of the Commissioner.

4. In other cases he will at once proceed to inquire whether the land applied for is encumbered by any prior claim of property or occupancy.

5. Where it is evident that there exist rights of property or of exclusive occupancy, either active or latent, the applicant will be informed that the case cannot be taken up under the Grant Rules, excepting in favour of the party originally possessed of those rights, or who has purchased them from such party. "It will be an important part of the Collector's duty to make certain that any transfer of such rights shall have been made with a complete and fair understanding on the part of all concerned."

6. In case of there being any doubt as to whether existing rights are of the exclusive character necessary to bar alienation, the Collector will report the case through the Commissioner to the Sudder Board of Revenue. If the rights claimed, though not exclusive, should appear to the Sudder Board of Revenue to be such rights of pasturage, wood-cutting, turf-cutting, &c., as commonly obtain in the Hill Districts, and are entitled as "existing rights * * * in a rude form," to protection under paragraph 6 of the Resolution of the Governor General in Council, No. 3264, dated the 17th October 1861, the Board will instruct the Collector to endeavour to bring the applicant for the grant, and the parties who possess a right to use the spontaneous products of the soil within the tract applied for, to a mutual agreement as to the terms upon which (if any) an hereditary and transferable property in the soil may be given to the former subject to the exercise of their customary rights by the latter. If an amicable arrangement be come to the Collector will report the particulars for the information and sanction of the Sudder Board of Revenue. Otherwise the Collector will proceed to estimate the value of the prescriptive rights, as above, on a liberal basis, and will submit the case through the Sudder Board of Revenue to the Government in view to the payment of full compensation.

7. Where no claims of the nature supposed are known to exist, the Collector will calculate the cost of surveying the grant, and of erecting durable pillars of demarcation. This will be at the lowest rate for which land of the nature applied for is ordinarily surveyed in the district. But provision must be made for the measurement being accurately

conducted on the plane table system, and in such wise that a correct estimate may be formed of the amount of land "uncleared" and of the amount "unencumbered with jungle," as also of the portion which may fairly be held to be unculturable. A scale of charges of survey should be prepared and hung up in the same way as the statement referred to in paragraph 2. The Collector will submit a copy of this scale to the Commissioner for the approval of the Board.

8. No allotment as above will be made exceeding 5,000 acres; and in the hill districts no grant of tea lands shall exceed 2,000 acres. Where any special reason may exist against the assignment of so large an area, such as proximity to a station, &c., and the grantee may not be content with a smaller area, the Collector will report the case for orders, with his opinion as to the degree of further limitation which is called for.

9. When the cost of survey has been paid in the survey will be proceeded with forthwith, and no time should be lost in the erection of the boundary pillars.

10. Where an estate has already been surveyed and marked off, this portion of the operations will of course be dispensed with, and no charge will be made against the applicant further than is necessary to secure an accurate plan of the new estate with the requisite boundary marks.

11. On the completion of the demarcation and survey, or, in the case of surveyed land, immediately on the boundaries of the proposed grant being marked by substantial pillars, the Collector will issue an advertisement describing the land to be sold, stating the upset price, and specifying the place and date of sale. The period of the advertisement will be for not less than 30 days. The upset price will be fixed at five rupees for cultivated, and two rupees eight annas for uncultivated land, unless for some special reason (such as proximity to a station, valuable timber being on the land, &c.) that rate be held to be inadequate; in the latter case the Collector will report what upset price he thinks proper, and on its being confirmed by the Board, he will prepare his advertisement accordingly.

12. The advertisement will be published in the "official gazette," and in two up-country newspapers, and the Collector will also cause an istehar to be stuck up in his office, and in the police and revenue posts nearest to the property, as well as in any villages on the land, or adjoining thereto. He will also, where he deems it advisable, have the purport of the application verbally explained to the inhabitants of those villages, and to any other parties likely to be interested in the grant.

13. Any objections to the grant will be carefully considered and disposed of on their merits. If they are held to be valid, the sale will be stayed, and the circumstances reported through the Commissioner to the Board.

14. At the sale, which will be conducted on the usual footing of an auction sale, the land will be assigned to the person offering the highest price; or, in the event of no competitors, to the applicant at the upset price, the cost of survey (if made) being added in both cases. In case the applicant is not the purchaser, all monies paid by him on account of the survey will be forthwith refunded to him.

15. Immediately on conclusion of the sale, the purchaser will pay down one-tenth of the sale price. On this payment being made, the Collector will at once deliver the deed of grant [Forms A] with plan of the estate, to the grantee, and will enter his name in the district records as proprietor of the grant. Possession will at the same time be given.

16. Wherever it may seem necessary to make any reservation of the rights of Government, under paragraphs 12 and 13 of the Resolution, the Collector will report the circumstances for the orders of the Commissioner.

17. Grants, which have already been given for a term of years at progressively increasing rents, will be treated as if the land were permanently settled, if the holder wishes to redeem the future land revenue, at the highest rate fixed for any year during the currency of the grant, provided there is no right of occupancy other than that of the lessee, or that derived from him. The rates for redemption will be calculated according to the market rate of 4 per cent. Government Securities at the time being, as directed in paragraph 75 of the Despatch of Her Majesty's Secretary of State.

18. As laid down in paragraph 11 of the same despatch, the title acquired by sale under the rules now promulgated, is to be held subject to the provisions of any legislative enactment which may hereafter be passed for disposing of the claims of third persons subsequently preferred.

^b 19. From the date of the deed of sale three months will be calculated; and whatever balance of purchase-money is found to be then unpaid, will be entered as an arrear against the grantee, who is to be charged with 10 per cent. per annum on such arrear. This charge should be treated in the same manner as a demand of land revenue, liable on default to the same measures for recovery of arrears.* The amount should be demanded twice a year with the May and November instalments, and should be entered at the foot of

* "The land will be held liable to resale in default of the regular payment of such interest, should there be no crop or other movable property on the land from which the claim of Government can be satisfied."

of the Pergunnah Touzee in the same manner as land revenue, though the amount (being subject to diminution on each further payment) will not be added to the rent-roll of the district.

20. Each grant will be reported through the usual channel, for the information of Government, immediately on the deed being delivered to the grantee.

21. Every six months a report will be submitted of any sums that may have been realised within that period as purchase-money. This must be carefully drawn up, in order that the provisions of paragraph 56 of the Resolution may be carried into effect. A copy of the six-monthly report will be simultaneously sent to the Deputy Auditor and Accountant General.

22. In the Annual Administration Report the amount so realised within the year, and the total amount from the commencement of the system up to date, will be noted; and also the sum realised as interest on unpaid balances of purchase-money.

23. A separate register of all grants made under these rules will be carefully maintained in the following form in the Collector's office, both in English and in the vernacular. No transfer of proprietary right will be recognised by the revenue officers of Government unless duly registered, after having been acknowledged by the transferee in person, or by duly authorised agent before the district officer, or one of his assistants.

Number.	Number of Grant.	Name of Grantee.	Purchase Money.	Payment of Instalments, with Date of each.	Date of Deed of Grant.	Subsequent Registered Transfers, or Successions.

The maps or plans of all grants sold under these rules will be kept in a series corresponding with the numbers in this register.

24. All previous circular orders on the subject of grants of waste land are hereby cancelled. Future applications will be disposed of under the present orders.

(A.)

FORM OF GRANT.

KNOW all men by these presents that the Government North Western Provinces has conferred on _____ his heirs, executors, administrators, and assigns, the grant of a tract of land measuring British statute acres _____ situate in _____ to be holden by him in full proprietary right, subject to the following conditions:—

1. The purchase-money for this grant is _____ rupees, of which _____ rupees have been already paid. On the* _____ if the entire purchase-money has not been paid up, interest at the rate of 10 per cent. per annum will be charged on the balance, and thereafter, until the entire purchase-money be paid up; such interest will be chargeable on all unpaid arrears of the purchase-money, and all payments by the grantee, shall be first carried to the credit of any outstanding arrear of interest due on such purchase-money.

* Enter the date calculated three months from date of this deed.

2. Arrears of interest shall be treated in the same manner as arrears of land revenue, and shall be subject to the same measures of realisation.

3. No transfer of proprietary right will be recognised by the revenue officers of Government unless duly registered, and no transfer of interest, or creation of new interest, in the grant, beyond a lease of three years, without an acknowledgment by the transferee in person, or by authorised agent before the district officer, or one of his assistants.

4. The right of way heretofore enjoyed by the public in roads now existing in the grant is not to be interfered with. The grantee is to pay a contribution of one rupee per annum for every 1,000 rupees of purchase-money in lieu of all demand of the State for aid in repairing the high roads; he will have no claim on the Government for making or repairing private roads.

5. The grantee is to erect permanent boundary marks round his grant, and to keep them in a state of repair.

6. The grant conveys the plenary right to all products both above the surface and below the same. (Here any exceptions which may have been approved by superior authority to be noted.)

7. For the preservation of the public peace, the grantee shall, at the requisition of the magistrate, maintain a chowkeedar for every sixty houses or families resident in the grant. The chowkeedar shall receive three rupees per mensem. For every three chowkeedars there shall also be maintained by the grantee a goryt or reporter at a salary of two rupees per mensem.

8. Arrears on account of road fund or chowkeedar's salary may be realised by distraint of the crops or other property of the grantee.

9. The prescriptive rights of other proprietors in streams running through or bounding the estate will be maintained for purposes of irrigation or navigation, and for the transport of timber or other property, and for other purposes of general utility. The Government reserves to itself the right which it everywhere possesses over all such streams, whether for purposes of irrigation or navigation, and, whenever it sees fit, can assume the control of the waters, and distribute them in such manner and on such conditions as may seem most conducive to the public good.

10. The lands included in this grant are shown in the subjoined table :—

Number of Map.	Number of Grant.	Name of Grant.	Name of Grantee.	Area in Acres.	Deduct irremediable barren Acres.	Remaining culturable Acres.	Area unencumbered with Jungle.	Uncleared Area.	Purchase Money.

Boundaries—North.

East.

South.

West.

11. On the payment of the purchase money in full with all arrears of interest, the grant will belong to the grantee free for ever from all demand for land revenue.

12. The title conferred by this grant will not exempt the proprietor from any taxes, cesses, or liabilities (other than liability for the land revenue) which may hereafter be imposed by law.

No. 1043A of 1862.—REVENUE DEPARTMENT.—North Western Provinces.

Dated Nynee Tal, the 17th September 1862.

UNDER paragraph 26 of the Despatch of Her Majesty's Secretary of State, dated the 9th July last, a discretion is granted to the Local Government to allow redemption of the land revenue, in respect of "lands required for dwelling-houses, factories, gardens, plantations and other similar purposes." This permission extends "to portions of land comprised within zemindaries, the jumma of which is not redeemed, a proportionate reduction being, of course, made in the jumma payable to the Government."

2. Under this authority, the Government will be prepared to receive applications from the proprietors of lands of the nature above indicated, for the commutation, by a single payment, for ever of the land revenue assessed thereon.

3. The price to be paid will, under paragraph 75 of the same Despatch, be fixed according to the actual value at the time being of Government 4 per Cent. Securities.

4. Under paragraphs 36 and 75 of the Despatch, redemption will only be allowed where the revenue is found to be fairly assessed; otherwise "a full, fair, and equable rent" will be imposed as a necessary preliminary to the measure.

By order of the Honourable the Lieutenant Governor of the North Western Provinces.

(signed) *G. Couper*,
Secretary to the Government of the
North Western Provinces.

Enclosure 2, in No. 8.

From Sir *George Couper*, Bart. and C.B., Secretary to the Government of the North Western Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India, No. 1161 A, dated Nynee Tal, the 17th October 1862.

WITH reference to your letter No. 4795, dated the 5th September, I am directed to forward to you, for the consideration of his Excellency the Governor General in Council, the accompanying copy of one * from the Secretary to the Sudder Board of Revenue, and to state that the Lieutenant Governor concurs with the Board in thinking that the general survey of waste lands, suggested in your Despatch above referred to, would be of little practical utility, while the labour and expense of making it would be very considerable.

* No. 720, dated 10th October.

2. The Sudder Board of Revenue will be requested to take steps for the preparation of a tabulated description of waste lands suitable for grants in the districts of the North Western Provinces; and the table will be published in the "Government Gazette" for general information.

From *G. H. M. Batten*, Esq., Secretary to the Sudder Board of Revenue, North Western Provinces, to Sir *George Couper*, Bart. and C.B., Secretary to the Government of the North Western Provinces, No. 720, dated Allahabad, the 2d October 1862.

IN reply to the orders of Government No. 1057 A, dated the 22d ultimo, in the Revenue Department, calling for a report on the suggestion contained in the letter * from the Secretary to the Government of India, in the Home Department, relative to the waste lands in these provinces, the Sudder Board of Revenue desire me to state, for the information of the Honourable the Lieutenant Governor, that they do not see that there would be advantage to the Government or the public in any of the districts in these provinces in making the survey proposed. The land in question is generally under forest and jungle, the allotment proposed must be arbitrary, and might not in any case suit the views of applicants. The survey and demarcation would be expensive, and without any adequate return of convenience or inducement to the public.

Present:
W. Muir, Esq.,
Senior Member and
R. Money, Esq.,
Junior Member
* No. 4795, dated 5th September 1862.

2. Under existing circumstances every facility is given to applicants to indicate the position and limits of the grants they are anxious to obtain, and the survey and demarcation at that stage is an easy and inexpensive process.

3. It might, however, be a good plan for each district officer to prepare a brief descriptive statement of the tracts where lands are available. A tabulated description of waste lands, suitable for grants, published in the "Gazette," would probably answer the purposes contemplated.

Enclosure 3, in No. 8.

(Home Department, No. 7380.)

From *E. C. Bayley*, Esq., Secretary to the Government of India, to Sir *George Couper*, Bart. and C.B., Secretary to the Government of the North Western Provinces, dated Fort William, the 18th December 1862.

Sir,

I AM directed to acknowledge the receipt of your letter No. 1161 A., dated the 17th of October, and in reply to state that the Governor General in Council is pleased to approve of the course which his Honor the Lieutenant Governor proposes to follow in respect of the publication of a tabulated description of waste lands suitable for grants in the North Western Provinces in preference to the execution of the general survey suggested in the letter of the 5th September.

2. His Excellency in Council desires me to intimate that the tabular description which his Honor intends to publish should be made as full as possible, and should contain all the information procurable, and which is likely to be of use to the public, or to persons wishing to purchase waste lands,

I have, &c,
E. C. Bayley,
Secretary to the Government of India.

— No. 9. —

EXTRACT, REVENUE LETTER, from India, dated 7 January (No. 1), 1863.

• No. 8 of the 31st December 1862. We have the honour to forward the Special Narrative of the Proceedings of the Government of Bengal, noted in the margin,* transmitting * * * * a Register of the Waste Lands available for Grants in the surveyed part of the District.

EXTRACT—Government of Bengal—Special Narrative, dated 31 December (No. 8), 1862.

ENCLOSED is forwarded, for the information of the Right Honourable the Secretary of State for India, * * * * a Register of the Waste Lands available for Grants in the surveyed part of the District, as furnished by the Collector.

Enclosure in No. 9.

EXTRACT from the REGISTER of WASTE LANDS, absolutely the Property of Government, which are available for Grants.

Number of the Plot or Tract.	Pergunnah, Thannah, or other Sub-divisions, in which situated.	Boundaries of the Plot.	Estimated Area of the Plot in Acres.	Actual Area.	Distance from Sudder Station, of District, and Means of Communication with it.	Remarks, giving a description of the Land; its Natural Features, Soil, Cultivation, which it appears adapted for, Advantages or Disadvantages as regards a Supply of Labour, Communications, and any other Information available.
			A. r. p. y.	A. r. p. y.		
1	Thannah Ramoo -	The boundaries cannot be given as the lands do not form one block.	10,617 0 23 26½	10,617 0 23 26½	Three days. There is communication with the Sudder Station, and other important parts of the District, both by sea and land.	The greater part of the land is hilly and jungle, and the remainder is roadway, pit, a nullah. The soil is "Doshla," i.e., sand mixed with clay, and possibly fitted for the cultivation of tea and coffee. Labour is not plentiful on the spot, but coolies can be taken from the town if one or two months' wages be advanced.
2	" Tek-naaf -	Ditto - -	3,323 0 1 18½	3,323 0 1 18½	Six days. Ditto - ditto -	
3	" Chackeriah	Ditto - -	4,554 1 18 6½	4,554 1 18 6½	Two „ Ditto - ditto -	
4	Chittagong, Town Thannah.	Ditto - -	2,239 1 7 2½	2,239 1 7 2½	About two hours. There is communication with the town by land.	
5	Pharee Rangoneeah	Ditto - -	867 3 29 5½	867 3 29 5½	One day. There is communication with the Sudder Station, and other important parts of the District, both by water and land.	

The above are the surveyed Waste Lands. Besides these, there is a vast tract of unsurveyed hills available for Grants.

Chittagong Collectorate,
22 November 1862.J. D. Ward,
Collector.

— No. 10. —

Foreign Department—Revenue—No. 3.

To the Right Hon. Sir *Charles Wood*, Bart., M.P. and G.C.B., Her Majesty's
Secretary of State for India.

Sir,

Fort William, the 22d January 1863.

IN submitting to you a copy of a correspondence, as noted in the margin, relating to the proposed grants of lands in the Sonakhan talook to Mr. Meik, the agent for Messrs. Borradaile and Co., of Calcutta, we also beg to enclose a copy of a letter from the Secretary to Chief Commissioner, Central Provinces, dated 6th October last, No. 37, containing a report on the sale of waste lands in the Central Provinces, together with a copy of our reply, and of the rules drawn up for their sale which we have caused to be published for general information in our official "Gazette."

Extract from "Calcutta Gazette," dated 8th October 1862.
To Officiating Chief Commissioner, Central Provinces, dated 11th October 1862, No. 569.
From Secretary to Chief Commissioner, Central Provinces, dated 22d October 1862, No. 42.
To Officiating Chief Commissioner, Central Provinces, dated 13th December 1862, No. 685.
Dated 13th December 1862, No. 684.

We have, &c.

(signed) *Elgin and Kincardine.*
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.

Enclosure 1, in No. 10.

COPY of a Notice by the Officiating Deputy Commissioner of Belaspore,
dated the 13th September 1862.

THE "Sonakhan" talook, in the Belaspore district of the Central Provinces, being the property of Government, confiscated for rebellion, and as, under the provisions of the Supreme Government, dated 17th October 1861, regarding the disposal of waste lands, a Mr. Meik, agent of the firm of Messrs. Borradaile and Co., of Calcutta, having applied for a grant of land in the aforesaid "Sonakhan" Estate, and which the Local Government is willing to make to the extent of 16,000 acres, or about 20,000 kundies, notice is hereby given, that any one having a just claim to the aforesaid property, or a right of occupancy thereon, their claim as such is to be preferred in the Court of the Deputy Commissioner, Belaspore, within 30 days from this date.

Belaspore,
The 13th September 1862.

(signed) *J. Fulton*, Captain,
Officiating Deputy Commissioner.

Enclosure 2, in No. 10.

From Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department, to the Officiating Chief Commissioner, Central Provinces (No. 569), dated the 11th October 1862.

Sir,

WITH reference to a notice, published at page 3395, of the "Calcutta Gazette" of the 8th instant, and signed "J. Fulton, Captain, Officiating Deputy Commissioner," Belaspore, relating to a contemplated grant, under the orders of 17th October 1861, of 16,000 acres of land in the Sonakhan talook, to the agent of Messrs. Borradaile and Co., of Calcutta, I am directed to observe that the terms of this notice appear to the Governor General in Council to be inconsistent both with the Resolution of 17th October 1861, which restricted grants of land to a maximum of 3,000 acres, and with the orders more recently communicated to you in the circular letter from this department, dated 30th August last, No. 480. It is moreover incorrect to state that the Local Government is willing to make the grant, as its sanction has not yet been applied for, and the fact that the talook in question is said to consist in a great measure of forest land, renders it doubtful whether the sanction could be properly given. If, on consideration of the circumstances above stated, you concur in these views, you will take immediate steps to have this notification cancelled, and at any rate you are requested, before further proceedings are taken in the matter, to submit a full report of the case for the consideration of the Governor General in Council.

Enclosure 3, in No. 10.

From Captain *H. Mackenzie*, Secretary to the Chief Commissioner, Central Provinces, to Colonel *H. M. Durand*, C. B., Secretary to the Government of India, Foreign Department (No. 42), dated Head Quarters, Nagpore, the 22d October 1862.

Sir,

I AM directed to reply to your No. 569, of the 11th October, requiring a report regarding the circumstances of a proposed grant in Talooka Sonekhan to Mr. Meik.

2. I am to premise that immediately on receipt of your telegram the Officiating Chief Commissioner directed the Commissioner of Chutteesgurrh to suspend proceedings, so that the case is not concluded, and awaits such orders as the Supreme Government shall be pleased to issue.

3. In respect to the notice in the "Calcutta Gazette," signed by Captain Fulton, this notice was inserted without the Officiating Chief Commissioner's knowledge. It was proposed to make a grant in Talooka Sonekhan under the Resolution of 17th October 1861. Some time before the receipt of the orders conveyed in your No. 480, of 30th August last, forwarding copy of Secretary of State's Despatch regarding waste land, it would appear then that Captain Fulton, supposing that in this particular case the proceedings would be under the old rules, must have issued this notice in reference to paragraph 17 of the Resolution of 17th October, which prescribed that where no claim to land applied for, should appear, an advertisement with term of 30 days should be made. The notice is, of course, quite incorrect in stating that the Local Government (which here must mean the Supreme Government) was willing to make the grant. But it is true that, before the receipt of the recent orders and proceeding under the old rules of 17th October, the Officiating Chief Commissioner was willing that the local officers, acting on the responsibility vested in them by the rules, should make a grant as described, if on inquiry they found the facts to be such as had been set forth. The circumstances under which the proposal was made, I am now to explain.

4. This is the case alluded to in paragraph 9 of my letter, No. 37, of 6th October, to your address, regarding the general subject of waste land. Extract copy of which is appended to this letter for facility of reference.

5. In June last a reference was made by the Commissioner of Chutteesgurrh, to the Officiating Chief Commissioner, regarding the management of this talooka. It had been confiscated shortly after the troubles of 1857-58 for rebellion; then leased to a farmer for a nominal sum of rupees (50) fifty for a brief period which had expired. The farmer had been unable to reclaim the land, and would probably prove unable to pay even the above nominal sum. From inquiries on record, the title of Government seemed perfectly clear and certain. It was then that Mr. Meik applied to the local officers for the talooka. The Deputy Commissioner strongly recommended that the talooka be made over to that gentleman. The Commissioner supported the recommendation, copies of the letters of these officers are appended. About the same time Mr. Meik applied to the Officiating Chief Commissioner for a grant in the talooka.

6. On reference to the Resolution of the 17th October, the Officiating Chief Commissioner apprehended that the local authorities in the different parts of India were to act at once on its provisions. The paragraph 7 ran thus:—"With these views his Excellency in Council proceeds to state the rules under which he desires that the Governments and Administrations of India should give effect to these two measures, first, as to the sale of unassessed waste lands, &c., &c. The administration of these provinces appeared to be one of the Administrations meant. Then the Resolution concluded thus:—"But it is not necessary to await the enactment of a law before making known, and as far as practicable, acting on, the rules which have been here laid down." The Officiating Chief Commissioner trusts that he interpreted the Resolution correctly. At all events the above passages led him to suppose that he was competent to direct the local officers to make grants under the rules laid down in that Resolution.

7. Under these circumstances the Officiating Chief Commissioner informed the Commissioner of Chutteesgurrh that if, after inquiry on the spot, he, the Commissioner, and the Deputy Commissioner were satisfied that the application might properly be granted under the rules of the Resolution of the 17th October, they might grant it, provided that the amount of the grant should not be more than 16,000 acres, and that the price should not be less than (4) four annas an acre. The possible advantages and disadvantages were pointed out, and with these general reservations the terms of the grant were left to the responsibility and discretion of the officers on the spot, they being directed to exercise due inquiry and to proceed under the rules of the Resolution of the 17th October.

8. Herein there are two points on which explanation will be proper: first, the extent of the grant; second, the rate of price.

9. As to the extent of the grant, the Officiating Chief Commissioner did not understand that paragraph 21 of the Resolution of 17th October actually restricted the grants to 3,000 acres in each case. The paragraph runs thus:—"A maximum limit must be fixed to the size

size of all grants, probably 3,000 acres would be a suitable limit in Eastern Bengal, Cachar, Assam, and similar districts." This appeared to leave scope for discretionary variations in the extent of grants. In this case, however, it was understood that Mr. Meik applied partly for himself personally, and partly for Messrs. Borradaile and Co., so that the proposal might be ruled to contain two applications and two grants. Then, again, in a large tract like Sonekhan, containing many (160) square miles, it would be difficult to say whether a lot of 3,000 acres taken up in one place, and another lot of 3,000 in another place, could be considered as parts of the same grant or as separate grants. If the two were near to each other they could not be considered separate grants. If they were several, say 10 miles apart, segregated by hills, then, perhaps, a question might arise as to whether they might not be considered separate.* It seemed impossible to define these points beforehand. Therefore the Officiating Chief Commissioner thought it best to leave the local officers, after inquiry on the spot, to decide, with the proviso that not more than an aggregate of 16,000 acres should be allotted to Mr. Meik, on all accounts and under all bearings, within the talooka of Sonekhan. But one proviso in detail was added to the effect that no one lot should be less than (1,000) one thousand acres. This was done to guard the interest of the State, inasmuch as a small lot less than the above might include extraordinarily good land, which ought not to be sold at a low price; whereas a larger lot of several thousand acres would include probably some bad land, so that the lot might be fairly sold at an average low price.

10. Furthermore there is the general consideration which might lead applicants in these provinces to expect a larger limit of grant than in provinces more happily circumstanced. These considerations have been stated in my letter, No. 37, of the 6th instant, on the general subject of waste lands. They will be again stated presently in those paragraphs of this letter which shall relate to the rate per acre in this proposed grant. Suffice it here to explain that this tract is supposed to be subject to great disadvantages in respect to remoteness and insalubrity, and that unless a grantee could obtain a decidedly large grant, he would not probably apply for a grant at all.

11. The second point to be adverted to is the rate of price. The determination of this was necessarily left to the officer on the spot, but the Officiating Chief Commissioner prescribed four annas as a minimum. By paragraph 29 of the Resolution of 17th October, 2½ rupees was the maximum fixed, but that was liable to deduction for unculturable land. No minimum was fixed, so that there appeared to be a considerable scope allowed for discretion according to circumstances. And there seemed to be circumstances in this case which warranted a low rate of price. The talooka of Sonekhan may be thus described:— It is situated on the Jonk River, about 60 miles east of Raepore, and nearly 100 miles west of Sumbulpore. Its area is supposed to be 160 square miles, or 1,02,400 acres. On the west it is within reasonable distance of the comparatively cultivated country of Raepore. But to the north, the east, and the south, it adjoins wild, savage, and intractable territories. It is quite uncultivated, though perhaps one-third of the area may be culturable, the remainder being hill, rock, or thick jungle. The culturable land is supposed to consist of valleys between the hills near the banks of the Jonk River. It is said to abound with wild beasts. And without doubt it is now very insalubrious, and will continue so until the jungle shall to some extent be cleared away. At present it could not be safely entered by an European from August to January. If, however, it could be partially cleared, or if settlements could be established here, then no doubt its situation near the line of high road (as yet unmade however) between Raepore and the Mahanuddy would render it a fit field for capital and enterprise. But its remoteness from supply of labour, and its insalubrity for settlers, its present want of communication, the hopelessness of effecting anything in it without extensive arrangements, and the application of considerable amount of capital, would demand that some special inducements should be held out to any parties likely to commence its occupation. If a commencement were once made, then other applications might be expected to follow. But unless some start could be made, it seemed certain that applicants, or intending purchasers, would not think of such localities as these, but would carry their skill and capital to other provinces more fortunately circumstanced. These were general considerations which seemed to point to the expediency of demanding a low price at first. But further it is to be borne in mind that, inasmuch as the allotments must exceed (1,000) one thousand acres in any one spot, it is probable that any such allotment must necessarily comprise bad land as well as good, and in fact a considerable proportion would be worth almost nothing at all. Thus many acres might be worth more than four annas, and many worth even less. But this again was necessarily left to the officers on the spot. Although, by paragraph 25 of the Resolution of 17th October, it was competent for the district officer to place a grantee in possession without previous survey, yet the Officiating Chief Commissioner contemplated having a survey made as soon as the season should permit. And it was supposed that unless the local officer already possessed sufficient information (which was improbable), they must at all events delay final action till January next, when the season would admit of the place being examined.

12. Still

* Indeed the Officiating Chief Commissioner understands that there has been and will be doubt as to how far an applicant or grantee may avoid the operation of any maximum rule by applying for several grants in the same neighbourhood.

12. Still there is no doubt that the applicant, Mr. Meik, did understand that, if after inquiry and verification the local authorities should find that grants might fairly be made under the rules of 17th October, he might expect to obtain grants aggregating 16,000 acres at an average price of four annas per acre. No absolute promise or guarantee was or could be given. But he was allowed to entertain the hope or expectation under the conditions above described.

13. The proceedings above described, so far as they went, were taken according to the rules of 17th October 1861, and before the receipt of the Secretary of State's Despatch, and the recent orders thereon. The Officiating Chief Commissioner is well aware that under these last named orders a different procedure would have to be followed. But as these orders are declared not to have retrospective effect, the Officiating Chief Commissioner would recommend that the grant be permitted to be completed according to the terms now described. After local inquiry, as previously directed, the Officiating Chief Commissioner believes that this course would be liberal and just towards the applicant.

14. The principle of these terms is in many respects similar to the proposed rules, submitted with my Despatch, No. 37, of the 6th instant. Future grants would of course be made in exact accordance with whatever rules the Supreme Government shall now be pleased to sanction.

15. In respect to the forest lands in this talooka, alluded to in your letter under acknowledgment, the Officiating Chief Commissioner is not himself aware of the existence of any valuable timber forests in the talooka. So far as he knows, there is no certain or detailed information on the point, but the operations of the Forest Department (previously ordered) during the next season will show clearly whether there is valuable timber or not. At all events, when the grant was under consideration, it was clearly understood that if there should be any such timber forests, or mineral resources, or quarries, or the like, they would be reserved under paragraphs 23 and 24 of Resolution of 17th October.

16. The opinion of the district officer of Raepore, Major Dennys, regarding the benefit to his district from an European settlement in this talooka of Sonekhan, can be seen from the appended copy of his letter already alluded to in the preceding paragraph 5. That opinion is, indeed, very forcibly expressed.

It is, the Officiating Chief Commissioner believes, quite true that this large tract is hopelessly unproductive, unless it shall be taken in hand by European capital and enterprise. If one settlement were started, others would follow. Then the value of land, and of property, and the supply of labour would increase in all that neighbourhood. Thereupon the Government revenue, now almost nominal, would rise in various ways. The advance of civilization in that wild territory is so obvious as scarcely to require mention. And if the course of events, leading to such prospective results, is to be set in motion by means of a large grant to an European firm, then perhaps Government may deem it proper to sanction the first grant on terms favourable to the grantee. But such a grant would of itself give rise to a train of circumstances which will enable Government hereafter to demand a much higher price for future grants. In short there seems to be two alternatives, either to leave the tract in the utterly unproductive condition described by the Deputy Commissioner, or else to make over a portion of it at least to an European capitalist. In the former case it would be of no good whatever, and would rather be a source of evil. In the latter case, it would be a source of benefit to the country round about, and ultimately of profit to the State.

17. It will be observed that originally the Deputy Commissioner proposed to leave the whole talooka to Mr. Meik. But the Officiating Chief Commissioner could not recommend such an arrangement. It would not be conducive to the outlay of capital, nor to the security of improvement. The rent would be almost nominal, and the transaction would probably not prove satisfactory either to the Government or to the lessee. It were in every way preferable to grant a limited portion in fee-simple under the rules.

19. The great importance of these grants to the future of the Central Provinces has been explained in my Despatch of the 6th instant on the general subject of waste lands. In respect to this particular grant, and in respect to the proposed rules submitted with that Despatch, the Officiating Chief Commissioner will feel much obliged if favoured with the early orders of his Excellency the Viceroy in Council.

EXTRACT Paragraph 9 of a Letter, No. 37, dated 6 October 1862, from the Secretary to Chief Commissioner, Central Provinces, to the Secretary to Government of India, Foreign Department.

Paragraph 9. I am to explain in this place that, having regard to the terms of paragraph 7, of the Resolution of 17th October 1861, which stated that the various Governments and Administrations in India should give effect to its provisions, and also having regard to paragraph 57, which set forth that it was not necessary to wait for a law, before giving effect to the rules, the Officiating Chief Commissioner did, in June last, entertain an application for a large grant in Chutteesgurrh made by Mr. Meik on his own behalf, and on behalf of Messrs. Borradaile and Co. And the Commissioner of Chutteesgurrh was authorised

authorised to make a grant, if, after inquiry on the spot, he found that the land was really fit to be granted under the rules. It was alleged with a considerable degree of truth that the tract applied for was wild, remote, insalubrious, uncleared, rugged, but containing in valleys and hollows quantities of good and reclaimable land. Considering all these things, and also the importance of getting European enterprise started in that neighbourhood, the Commissioner was instructed that he might accept as low a price as four annas an acre. This was, no doubt, a low average. But while on the one hand many acres of the land would be worth more, yet on the other hand many acres, and indeed a considerable part of the aggregate of land, would prove to be worth nothing at all. The Resolution while fixing a maximum of $2\frac{1}{2}$ rupees, did not fix any minimum. Then considering that two grants were applied for, and that, unless a large quantity of land could be secured, it would not be worth any one's while to take land at all in such a place, the Commissioner was told that he might make grants up to an aggregate of 15,000 acres. The resolution did not fix absolutely any maximum for grants, the lots of 3,000 acres each were stated to be applicable to Eastern Bengal.

(True Extract.)

(signed) *W. E. Crawford,*
Head Clerk.

COPY of a Letter from the Officiating Commissioner, Nagpore Division, to Secretary to Chief Commissioner, Central Provinces (No. 257-39), dated 7 July 1862.

WITH reference to your demi-official communication, dated 4th instant, I have the honour to forward an application, in original, from Mr. Meik, together with letter, No. 167, dated 25th ultimo, from the Deputy Commissioner of Raepore.

2. The Deputy Commissioner details the circumstances connected with the estate of Sonakhan, and from memorandum, No. 6, dated 24th April 1862, by Colonel Spence, in charge of Chief Commissioner's office, I find that he directed that this estate should be settled with the heirs of the late Maharaj Sai on more than ordinarily favourable terms until the expiration of the first regular settlement.

3. The brother of the deceased has now resigned the lease of this large estate, as he could derive no profit from it, even at the low rental of 50 rupees per annum, and Mr. Meik has sent in an application for it to hold until the termination of the next regular settlement, 30 years. I can see no reason why it should not be made over to him. It is a confiscated estate, and the property of Government, and trifling though the jumma may be, it is a matter of considerable importance to introduce European capital and speculation.

4. The services of Maharaj Sai, who was murdered by the former proprietor of the Sonakhan estate, might, I think, be adequately and appropriately recognised by awarding to his widow, either a sum of money or a monthly stipend for her lifetime. A small allotment of land, as proposed by Colonel Spence, would hardly be appreciated where land is so valueless.

5. This question, however, would be better determined by the Commissioner of Raepore, to whom I will transfer the file; now that I have placed this tender before the Chief Commissioner.

6. With regard to Mr. Meik's paragraph 4, there is no doubt an almost unlimited field for speculation of the kind he proposes to enter into in the Mundlah district.

COPY of a Letter from the Deputy Commissioner, Raepore, to Commissioner Nagpore Division (No. 167), dated 25 June 1862.

REFERRING to past correspondence, I have the honour to submit the following Report, and to solicit instructions:—

2. On the capture of the rebel Narrain Singh, and his execution, his estates were confiscated to the Government. Amongst others, the estate of Sonakhan, consisting nominally of 49 villages, but in reality a wild uncleared tract, a refuge only for the disaffected, or the wild denizens of the forest. The latter abound. Amongst which the tiger, leopard, bear, buffalo, bison, and sambhur and other species of deer, may be mentioned.

3. In May 1858 Captain Elliot settled the estate temporarily with Maharaj Sai, the zemindar of the adjoining estate of Deoree. This man was an uncle of Narrain Singh's, had long been on bad terms with him, and gave great assistance to Captain, then Lieutenant Smith, in securing Narrain Singh's apprehension.

4. In a letter, No. 34, of 25th May 1858, Mr. Plowden sanctioned this settlement at a rental of 50 rupees a year for three years, on the clear understanding that the property continue that of the Government, liable to be assessed at any future period up to its full

resources. Captain Elliot in a former communication had described Maharaj Sai as a man of undoubted loyalty and good faith, but it does not appear that, in settling the estate with him, he at all intended anything beyond a temporary arrangement.

5. After Narrain Singh's execution, his son, Govind Singh, was placed under Maharaj Sai's care, who promised to provide him with some villages either from the Sonakhan or Deoree Estate.

6. In July 1860 Koonjul Singh, a brother (I believe) of the rebel Soorundur Sabai of Sumbulpore, instigated by Govind Singh, entered the house of Maharaj Sai, murdered him, and plundered his property, Govind Singh taking part in the deed, when they retreated into Sumbulpore. Koonjul Singh as well as Govind Singh are, I believe, still at large lurking in the Sumbulpore district.

7. Before leaving this district *en route* to England, Captain Smith, Officiating Deputy Commissioner, in his letter, No. 223, of 4th April last, recommended the Sonakhan zemindaree being conferred rent-free on Maharaj Sai's heirs in perpetuity. The Officiating Chief Commissioner enters fully into the subject in his memorandum of 24th idem, and disapproves of the recommendation of a reward so much beyond the services rendered; but directed me to ascertain the annual assets of the estate and make a Malgoozaree settlement with the heirs of Maharaj Sai at such a jumma as I might deem proper under the circumstances, and with reference to the means of livelihood they at present possess; the term of settlement being made, until the expiration of the first regular settlement, upon more than ordinarily favourable terms.

8. On receiving these orders, I sent for the zemindar's brother. Maharaj Sai had no issue, and his widow is in possession of Deoree, reporting to you my opinion that the settlement of this estate in the manner proposed would be ruinous to our hopes of bringing it under cultivation, and that a monetary reward, if necessary, would be far more suitable.

9. In the meantime I had received an application from Mr. Meik, an agent of the house of Messrs. Borradaile & Co., Calcutta, asking for this estate. He informed me verbally that Captain Smith had told him he could lease the estate from the Deoree man at 500 rupees a-year for 30 years; but when I told him there must be some mistake he addressed me an official application on the subject, which was forwarded by me in ignorance of Captain Smith's application, and cancelled on receipt of the Chief Commissioner's orders.

10. On the arrival of the zemindar's brother, I spoke freely to him on the subject, told him exactly what were my orders, and asked his wishes. At the same time I pointed out to him his absolute inability to manage the estate, that the whole of his own estate of Deoree, for which he pays only a nominal tukolee of 12 rupees, was lying waste on account of his poverty and want of means to bring it under cultivation. He told me that his assets from Sonakhan were nothing, and the 50 rupees he paid to the Government on account of it, a loss; that he had succeeded in establishing a few men in one or two parts of Sonakhan; all of whom, however, pay him nothing. He said if I wished it, he would take the land until the expiration of the first regular settlement at 50 rupees, but could not pay more. On my suggesting that he had better give it up and leave it to the generosity of the Government to grant him a pecuniary reward, he seemed averse to the proposal, and with a pride, none the less dignified because coming from a poor and very ignorant man, said, "How can I give up my zemindaree lands for money?" I explained that he here laboured under an error, and the land belonged to the Government, not to him, that it had never been given to him in zemindaree, and it was not now proposed to do so. He allowed his utter incapacity to do anything for the estate, and at last petitioned that we should do anything we thought most advisable, asked that other flourishing villages must be given to him, or a monetary reward; in short, he placed himself completely in my hands.

11. On this I issued a proclamation calling upon any one who would undertake the lease of Sonakhan for 20 or 30 years, to come forward with tenders, but though nearly a month has elapsed, save from Mr. Meik, I have only one offer of 50 rupees a-year for 30 years. Mr. Meik expresses himself as willing to take the lease on any fair terms, or for any period. The object of the farm is said to be to work lands upon a large scale with the aid of English capital. Mr. Meik is also willing, at the same time to pay, as a gratuity, any sum to the heirs of the Deoree zemindar to which they may be considered entitled.

12. One point is clear, this large tract of land, comprising probably, some 160 miles square, will remain for ever in its present unreclaimed state, if we leave it with the Deoree zemindar, or give it to other natives. The utmost bid that I can get for it, even for a 30-years' lease, is 50 rupees a-year. An opportunity thus occurs of offering to European enterprise a field of considerable prospect. If a large sum of money were sunk on the estate, the Government would be indirectly far more indemnified, even had it granted the estate rent-free. It is situated just about 40 miles off the high road leading from this to Sumbulpore, and its reclamation, if effected, would indeed prove a blessing.

13. Under these circumstances I beg to solicit the orders of the Chief Commissioner. Does he still desire the settlement should be made with the heirs of the Deoree zemindar until the expiration of the first regular settlement, or a period probably of 25 to 30 years? Such an arrangement is tantamount to dooming the land to be waste for that period; or, have

have I his permission to settle this estate as a talookdaree with Messrs. Borradaile & Co. of Calcutta, through Mr. Meik; and if so, for what period, and upon what terms?

14. Nothing but some such an arrangement can give us hopes of clearing the land. I would feel inclined to propose that the estate be offered at a rental of 100 rupees a-year until the regular settlement, the proviso being made that in revising its jumma at that time every consideration would be given to the sum which might have been expended in improving the property.

15. Mr. Schiller, of Messrs. Borradaile's house, is, I believe, now in England trying to organise a company to work lands they may thus obtain, on a very large scale, and has full confidence of succeeding, but awaits the result of Mr. Meik's report as to what lands he can get granted to them.

16. In my opinion the importance of the measure is such that it can hardly be over-estimated, and that, if the Government can be satisfied that the land will really be reclaimed, they might, with great advantage, effect a lease of it for 30 years at a rent almost nominal.

17. In regard to the Deoree zemindarin, the tukolee of 12 rupees, which she pays to Government might be altogether remitted, and the sum of 1,000 rupees given to her as a reward for her husband's services. This latter sum Mr. Meik is willing to pay by instalments of 100 or 200 rupees, and it might enable her to do a little something for the advancement of her estate.

18. It is, I believe, Mr. Meik's intention to proceed to Nagpore for the purpose of waiting upon the Chief Commissioner. He has traversed much over the country and is well acquainted with its features and capabilities. He is also desirous of leasing other lands, if procurable, either from Government or from the zemindars, but I have not much hope that he will succeed in the latter quarter.

19. The estate of Sonakhan would of course be settled, subject to any future adjudication of external boundaries. Internal boundaries it cannot be said to possess. It should be considered as an estate, and the talookdar should have powers to create as many villages as he chose.

(True copies.)

(signed) *W. E. Crawford,*
Head Clerk.

Enclosure 3, in No. 10.

From Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department, to the Officiating Chief Commissioner, Central Provinces (No. 685), dated 13 December 1862.

Sir,

THE Governor General in Council now directs me to reply to your letter, No. 42, dated 22d October 1862, in which you submit the Report called for in my letter, No. 569, dated 11th October, regarding the grant of 16,000 acres of waste land to Mr. Meik.

2. A notice in the "Calcutta Gazette," signed by Captain Fulton, was the first intimation which Government had of the grant in question; you now explain that the application for the grant was made and entertained before the receipt of the orders conveyed in my letter, No. 480, of the 30th August last, and therefore at a time when the Resolution of the 17th October 1861 was in force without modification.

3. But I am to point out to you that the Resolution of 17th October 1861 did not empower you to make grants of waste land without reference to higher authority. The Resolution did not lay down rules for the grant of land as you suppose; it laid down general principles only, and paragraph 20 of the Resolution directed that rules of procedure should be framed by the Local Governments with sufficient clearness of detail to obviate in all ordinary cases any necessity for reference or sanction. No such rules had been laid down by the Government of India. But even if such rules had been framed, it would have been your duty, in accordance with paragraph 20 of the Resolution, immediately to report any grants made under them. Under such circumstances there was a still more urgent necessity for an immediate and full report to Government of the grant to Mr. Meik than if Government had issued its rules of procedure.

4. I am further to point out to you that the grant to Mr. Meik was contrary to the letter and principles of the Resolution of 17th October 1861, in respect of both area and price. The Resolution very clearly intimates that where, as in Sylhet, Cachar, and Assam, there is a mixture of marsh and unculturable soil, 3,000 acres should be the maximum area of grant. Where land is more valuable, a lower limit is to be fixed. For uncleared land 2½ rupees, 5 rupees for land free of jungle are to be the maximum upset prices, subject to deduction for area of swamps or unculturable land.

The grant to Mr. Meik is for 16,000 acres at 4 annas the acre, *i. e.*, upwards of five times the maximum of area allowed by the Resolution, and at one-tenth the upset

price of uncleared land, and one-twentieth that of land free of jungle. In addition to this it appears that the grant is not in one block area; on the contrary, the stipulation is that Mr. Meik's lots are not to be less than 1,000 acres, so that there is nothing to prevent Mr. Meik from selecting 16 of the clearest and most valuable tracts of 1,000 acres each in different parts of the Sonakhan Talooka for 400 l.

5. The Governor General in Council cannot consider the explanation which you have given of your proceedings on this case as very satisfactory. The best excuse that can be made for your proceedings is that, as the estate only brought in to Government a rental of 50 rupees a-year, and was really an unprofitable waste, though styled an estate of 49 villages, there was some ground for the anxiety of the local authorities to see the whole or a part of it in the hands of an European firm having some command of capital, and disposed to embark in the enterprise of bringing the tract under cultivation.

6. Under this consideration, and as Government is to some extent pledged by what you have done, the Governor General in Council will not interfere to prevent the completion of the grant to Mr. Meik. The notice issued by Captain Fulton, however, was for a grant of 16,000 acres to Mr. Meik, not for 16 grants of 1,000 acres each. It will rest with you to see that the allotment made to Mr. Meik shall be such as not to leave the adjacent lands valueless.

Enclosure 4, in No. 10.

From Captain *H. Mackenzie*, Secretary to the Chief Commissioner, Central Provinces, to Colonel *H. M. Durand*, c. B., Secretary to the Government of India, Foreign Department (No. 37), dated Head Quarters Nagpore, 6 October 1862.

1. Copy of a Despatch, No. 14, dated 9 July 1862, from the Secretary of State for India.

2. Copy of Circular, No. 4206, dated 15 August 1862, from the Home Department to the Governments of Bengal, North Western Provinces, and Punjab.

Sir,

I AM directed by Officiating Chief Commissioner to acknowledge receipt of your Circular, No. 480, of 31st August last, giving cover to documents noted in the margin. I proceed to submit the report therein called for on the subject of waste lands.

2. I am first to note that, in the opinion of the Officiating Chief Commissioner, the waste land question is in the southern and eastern parts of the central provinces; that is to say, in Sumbulpore, Chutteesgurh, and on the Godavery, almost the most important that could possibly arise. The Officiating Chief Commissioner offered a general opinion upon the subject in connexion with European colonization in paragraphs 441-451 of the Administration Report lately submitted to the Supreme Government. He there pointed out the desirability of making grants in these provinces on more than ordinarily favourable terms, and that these grants could, in many parts of the country, be made without infringing any pre-existing rights in districts where there are boundless tracts of waste without an owner; and that, while the most part of it lay under great disadvantages, from its insalubrity, impracticability, remoteness from markets and labour, there were large tracts in the valleys of the Godavery and Mahanuddy, the lower Nurbudda Valley, the Plateau of Chutteesgurh, and in the uplands of the Santpoora range; many of which, more especially those in Chutteesgurh, might, with the application of capital, skill, and enterprise, be turned into some of the great cotton-growing districts of India.

3. In respect to the Godavery country, the Officiating Chief Commissioner can now attest, by personal observation, the facts which he mentioned in his report. His recent tour down and up that river has shown him that, on either bank, but more especially on the left or British bank, there are vast tracts of land rich and culturable. If, as the navigation be opened, settlers, European and native, shall come up from the east coast (as Mr. Temple believes they will), then the valley of the Godavery, which is now only a forest sprinkled with villages, might become a long strip of agriculture. There is every probability of cotton, sugar, linseed, and indigo being grown on the bank of the Godavery; and if such things be grown, then, without doubt, there would be a demand for their exportation. On the whole, the Officiating Chief Commissioner regards this valley as a highly suitable and promising locality for new grants, and the unclaimed waste is endless.

4. The points in the Secretary of State's Despatch relating to waste land, which might especially be adverted to in this Despatch, appear to Officiating Chief Commissioner to be as follows:—

5. In reference to paragraphs 4 and 5, I am to state that the dormant claims to waste lands are believed not to exist largely in these provinces. Wherever they do, they will be carefully looked to before any grant is made. Nor have we fierce tribes in the neighbourhood of the waste lands who are likely to regard European or other settlers as intruders. Those fierce tribes which we actually have are situate in a different direction.

6. There are some tracts of waste, no doubt, to which large zemindars will lay claim. But this remark applies to the zemindars of central and eastern Nagpore, and not to those on the Godavery. However, the Officiating Chief Commissioner desires me to say that Government may rely on his making no grant on any such claimable land, unless the claim shall have been thoroughly sifted and disposed of beforehand.

7. The

7. The direction in paragraph 17, to the effect that grants should generally be made only in "tracts of country in which there may be a reasonable approach to certainty that valid claims will not be put forward, or at any rate to no considerable extent," has been duly noted by Officiating Chief Commissioner. He believes that if grantees can only be found, these are just the provinces where such land might be found in abundance.

8. It seems, however, to the Officiating Chief Commissioner, that the points of chief practical importance are: first, in what quantities may grants be allotted; second, what price per acre should be fixed.

9. I am to explain in this place that, having regard to the terms of paragraph 7 of the Resolution of 17th October 1861, which stated that the various Governments and Administrations in India should give effect to its provisions; and also having regard to paragraph 57, which set forth that it was not necessary to wait for a law, before giving effect to the rules, the Officiating Chief Commissioner did, in June last, entertain an application for a large grant in Chutteesgurrh, made by Mr. Meik on his own behalf, and on behalf of Messrs. Borradaile & Co. And the Commissioner of Chutteesgurrh was authorised to make a grant, if, after inquiry on the spot, he found that the land was really fit to be granted under the rules. It was alleged with a considerable degree of truth, that the tract applied for was wild, remote, insalubrious, uncleared, rugged, but containing, in valleys and hollows, quantities of good and reclaimable land. Considering all these things, and also the importance of getting European enterprise started in that neighbourhood, the Commissioner was instructed that he might accept as low a price as four annas an acre. This was no doubt a low average. But while on the one hand many acres of the land would be worth more, yet, on the other hand, many acres, and, indeed, a considerable part of the aggregate of land, would prove to be worth nothing at all. The Resolution, while fixing a maximum of $2\frac{1}{2}$ rupees, did not fix any minimum. Then, considering the two grants were applied for; and that, unless a large quantity of land could be secured, it would not be worth any one's while to take land at all in such a place; the Commissioner was told that he might make grants up to an aggregate of 15,000 acres. The Resolution did not fix absolutely any maximum for grants. The lots of 3,000 acres each were stated to be applicable to eastern Bengal.

10. The Officiating Chief Commissioner has not, indeed, heard that the Commissioner of Chutteesgurrh has effected anything definitely upon these instructions. But if, after inquiry, he should have entered into any understanding with Mr. Meik, Mr. Temple hopes that the transaction may be maintained; as the present orders of the Secretary of State are not to have retrospective effect. Any further or modified instructions which Government may be pleased to issue upon this general reference shall be carefully observed.

11. But I have been desired to particularize the above case the more, because it affords a practical illustration of the principle of the manner in which grants should, in Mr. Temple's opinion, be made in these provinces. The waste lands in these provinces are subject peculiarly to the following drawbacks:—

1st.—They are very remote from markets and from labour.

2d.—They are insalubrious until they are cleared of jungle.

3d.—They are largely interspersed with rock, sand, and unculturable land. The Officiating Chief Commissioner is able to say this from personal experience, having walked and ridden through many of these places, both in the hot weather and in the rainy season; all waste lands in India are, perhaps more or less, subject to exactly these drawbacks. But Mr. Temple believes that in no part of India can the waste lands be worse, and in few so bad, in the above respects, as are the waste lands of the central provinces. Indeed so greatly is the balance against us that unless we offer some advantages to compensate for the above disadvantages, we shall have no chance of competing with the Bengal or other provinces, or of attracting capitalists.

12. The Officiating Chief Commissioner, therefore, earnestly submits, for the consideration of the Supreme Government, that, in making grants of waste land in the central provinces, two points should be observed.

1st.—To make grants in quantities larger than elsewhere, or at all events in quantities decidedly large.

2d.—To fix a price per acre somewhat lower than elsewhere, or at all events decidedly moderate.

13. The application of these principles should, it is true, be different in different districts. Chutteesgurrh and Mundla, though abounding in fine waste, are yet specially subject to the above disadvantages. The districts on the Mahanuddy (Sumbulpore), those on the Godavery (Sironcha), those on the Nerbudda (Hoshungabad), are somewhat less so. The Officiating Chief Commissioner would, therefore, propose a maximum of 10,000 acres per grant for Chutteesgurrh and Mundla districts; 5,000 acres for the Sumbulpore, Sironcha, and Hoshungabad districts; and 3,000 acres for all other districts.

14. So also he would have a differential scale for the price, and would fix as a minimum,—

Four annas per acre in Chutteesgurh and Mundla, if the grant be not less than 10,000 acres; and eight annas, if it be not more than 5,000.

Eight annas in Sumbulpore and Sironcha, if it be not less than 5,000 acres; and one rupee, if it be not more than 3,000 acres.

One rupee in Hoshungabad, if it be not less than 5,000 acres; and two and a half rupees, if it be not more than 3,000 acres.

Two and a half rupees in the other districts.

15. In the above scale it will be observed that a difference is made in favour of large grants over small ones. An almost nominal price for large grants in Chutteesgurh and Mundla is proposed for this reason, namely, that in either of these districts any grantee taking a large grant of 10,000 acres must necessarily include within his limits much impracticable land; and much insalubrious jungle. If he takes a smaller grant, he should pay higher; because with that size he might find ground with a larger proportion of good soil. The same remark applies, *mutatis mutandis*, to the Sumbulpore, Sironcha, and Hoshungabad districts. Sumbulpore and Sironcha are better off than Chutteesgurh and Mundla, because the former have rivers which will one day be navigable. Hoshungabad, though containing wild tracts, will soon have a railway; therefore the only case wherein more favourable terms are proposed for it, is the case of a large grant being taken, such a grant in that neighbourhood must necessarily include some hilly or rugged ground.

16. The rates of price here proposed are minimum or upset prices, according to the terms of the Secretary of State's Despatch. Of course if any more be bid, when the lot is put up to auction, so much the better.

17. The Officiating Chief Commissioner would declare these terms, both as regards quantity and price, for two years only, after that period it is hoped that the various improvements now going on may, in some degree, change the face of the country. One of the first things affected by such changes would be the value of land. The terms should then be open to revision. If the terms proposed shall appear favourable, then Mr. Temple submits that men of enterprise and capital, who shall now come forward in the present state of these provinces to take up land, will most richly deserve any ulterior advantage they may obtain, for they will have been, in literal truth, the pioneers of civilization.

18. The Officiating Chief Commissioner would append one condition, namely, that these terms should be applicable only to grants of (500) five hundred acres and upwards. It may be doubted whether it would be worth while to concede these advantageous terms to small grants below that amount. For grants below the above amount, the uniform rate of 2½ rupees will be applicable in all districts alike.

19. I am to add that, in Officiating Chief Commissioner's opinion, it would be of the greatest advantage if companies could be formed to take up grants of land. They would have, under the circumstances of these provinces, great advantages over single capitalists, unless indeed such single capitalist were a very large one. Mr. Temple entertains hopes that such companies may be formed.

20. In conclusion, I am to submit a set of rules of procedure for the sale of waste lands in these provinces for the approval and sanction of his Excellency the Viceroy in Council. These proposed rules have been framed partly on the model of those recently issued by the Bengal Government. They appear to comply with the requirements of the Despatch from the Secretary of State, No. 14, of 9th July last, and they embody the proposals which have been made in this letter. Should they meet with his Excellency's approval, Mr. Temple trusts that they may be published in the "Calcutta Gazette" at an early date, in order that they may be made known to the public without delay. It is hoped that, during the ensuing cold season, some arrangements with grantees may be commenced, if not completed.

21. The subject of the introduction of a permanent settlement into these provinces, upon which the Officiating Chief Commissioner's views have again been called for in reference to the Secretary of State's Despatch, will be entered into in a separate letter.

CENTRAL PROVINCES.—WASTE LAND SALE RULES.

Preamble.

THE following Rules for the sale of unassessed waste lands, in the Central Provinces, are published for general information :—

Rule I. All unassessed waste lands in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed, and to be capable of revival, are available for purchase under these rules, unless specially reserved under Rule 19.

Rule II. The maximum limits of the quantity of land which will, for the present, be sold in one lot, in the several districts of the Central Provinces, will be as mentioned below :—

1. Raepore

1. Raepore	-	-	District	-	-	} 10,000 acres.
2. Belaspore	-	-	"	-	-	
3. Mundla	-	-	"	-	-	
4. Sumbulpore	-	-	"	-	-	} 5,000 "
5. Upper Godavery	-	-	"	-	-	
6. Hoshungabad	-	-	"	-	-	
7. Nagpore	-	-	"	-	-	} 3,000 "
8. Chanda	-	-	"	-	-	
9. Bhundara	-	-	"	-	-	
10. Wurda	-	-	"	-	-	
11. Jubbulpore	-	-	"	-	-	
12. Nursingpore	-	-	"	-	-	
13. Chindwara	-	-	"	-	-	
14. Seonee	-	-	"	-	-	
15. Saugor	-	-	"	-	-	
16. Baitool	-	-	"	-	-	
17. Dumoh	-	-	"	-	-	

If, for special reasons in particular localities, lower maximum areas should be determined upon, due notice will be given.

Rule III. Every lot shall be compact and shall include no more than one tract of land in a ring fence. No lot will be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated in consequence of an application for purchase. The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If, on completion of the survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

Rule IV. Applications for the purchase of waste land shall be made to the Deputy Commissioner of the District, and every application shall contain the following particulars:—

1st. The estimated area of the land applied for.

2d. The situation of the land and its boundaries, as accurately as can be ascertained.

Rule V. If the Deputy Commissioner be able to satisfy himself that the land applied for is available for purchase under Rule I., and within the conditions prescribed in Rules II. and III., and if it shall have been previously surveyed and demarcated, he shall advertise the lot for sale, on a given day, at an upset price as hereinafter specified. The advertisement shall be published in both the English language and the vernacular of the district in the Deputy Commissioner's office, in the offices of the tehseldars of the district, and in the police stations, within the limits of which the lands may be situated. The expense of the advertisements will be chargeable to the applicant.

Rule VI. If the Deputy Commissioner be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed, and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey, the advertisement of sale shall be published as above.

Rule VII. The day of sale to be named in the advertisement shall not be less than 30 days from the date of publication, and the sale shall be held at the Deputy Commissioner's office. The sale may be postponed if, in the Deputy Commissioner's judgment, it be necessary; due notice being always given of the date on which the sale will be held.

Rule VIII. If before the day of sale no claim of proprietary, or occupative, right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price, if there be no higher bid.

Rule IX. The upset price of the lands to be sold will, ordinarily, be as follows:—

1. In the Raepore, Belaspore, and Mundla districts—

For lots exceeding 5,000 acres - - - - 4 annas per acre.

For lots containing less than 5,000 acres - - 8 " "

2. In the Sumbulpore and Upper Godavery districts—

For lots exceeding 3,000 acres - - - - 8 annas per acre.

For lots containing less than 3,000 acres - - 1 rupee per acre.

3. In the Hoshungabad district—

For lots exceeding 3,000 acres - - - - 1 rupee per acre.

For lots containing less than 3,000 acres - - 2½ " "

4. In the Nagpore, Chanda, Bhundara, Wurda, Jubbulpore, Nursingpore, Chindwara, Seonee Saugor, Baitool, and Dumoh districts, 2 rupees 8 annas per acre.

The upset price will be calculated on the whole area of the lot, without any deduction on any account whatever.

Rule X.—On payment of one-tenth of the purchase money, and of all expenses of survey,

survey, demarcation, advertisement, and sale, the purchaser shall receive a deed (in a form which will hereafter be issued) signed by the Deputy Commissioner; conveying to him the lot, in full hereditary and transferable proprietary right, free for ever from all demand on account of land revenue; but subject, nevertheless, to all general taxes and local rates imposed by law, or by the Local Government, and to any other claim, whether of the Government or otherwise, that may have been, or may hereafter be, established in any court of competent jurisdiction.

Rule XI.—If, before the day of sale, a claim of proprietary or occupative right in any part of the land be preferred, the Deputy Commissioner shall investigate the claim; and if satisfied that it is groundless, shall reject it and proceed with the sale.

Rule XII.—If on investigation any such claim should appear to be well grounded, the Deputy Commissioner may either reject the application for purchase of the lands, or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner.

Rule XIII.—The Commissioner may direct the Deputy Commissioner either to reject the application or to proceed with the sale of the land, either unreservedly or on the conditions prescribed in Rule X.; or if any claim to right of proprietorship, occupancy, or use, in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected, the amount deposited as cost of survey, after deduction of any expenses which may have been incurred in survey, demarcation, advertisement, or any other way incident to the transaction.

Rule XIV.—On being put in possession of the lot, the purchaser shall be bound to erect as many substantial boundary marks of masonry as the Deputy Commissioner may think necessary, provided it be not made incumbent on the purchaser to erect more than at the rate of four per mile of boundary line.

Rule XV.—If the land be purchased by any person other than the applicant who may have deposited the cost of survey under Rule VI., it shall be returned to him, and should the proceeds of the sale be less than the upset price, plus the actual cost of survey and demarcation, the difference or so much of it as shall make up that amount will be chargeable against the purchaser, in addition to the price of the land.

Rule XVI.—The purchaser may, if he choose, pay the whole of the purchase money, when the lot is sold, or the deed delivered to him. Or, if he choose, he may pay a portion, not being less than 10 per cent. at the time of sale, and the remainder in instalments at any future time, not being more than ten years from the date of sale. In the latter case, simple interest, at the rate of 10 per cent. a year, will be charged on the unpaid portion of the purchase money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale by order of the Deputy Commissioner, if the said amount of either principal or interest be not paid within the stipulated period; and should such sale take place in default of payment of the purchase money, the defaulter will have no claim for improvements against the Government or on any other account, except for the amount of the deposit money; and for that only, in the event of the amount realised at the second sale at least equalling the amount of the original sale.

Rule XVII.—If the purchaser fail to pay one-tenth of the purchase money and all other expenses within three months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser, whose deposit will also be forfeited.

Rule XVIII.—No sale of waste lands once made by a Deputy Commissioner in conformity with these rules will be disturbed by any higher executive authority.

Rule XIX.—Reserves of grazing and forest land, of land for the growth of firewood near towns and stations, of building sites, parks, recreation grounds, of tracts possessing mineral wealth, stone quarries, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Chief Commissioner. A list of these lands is under preparation, and will be published in the local "Gazette."

Rule XX.—Lands for the purchase of which application has been made under the Resolution of the 17th October 1861, will, if such application were duly registered, be dealt with in accordance with the terms of the said Resolution so far as the law allows.

Rule XXI.—From and after the date of the promulgation of these rules, no fresh applications for grants of waste lands under any previous rules will be entertained.

Rule XXII.—The above rules will continue in force for two years from the 1st November 1862.

(signed) *H. Mackenzie.*

Chief Commissioner's Office,
C. P. Nagpore, 16 October 1862.

Secretary to Chief Commissioner,
Central Provinces.

Enclosure 5, in No. 10.

From Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department, to the Officiating Chief Commissioner, Central Provinces (No. 684), dated 13 December 1862.

Sir,

I AM directed by the Governor General in Council to reply to your Letter, No. 37, dated 6th October 1862, in which you report on the subject of waste lands and the rules under which you propose to make grants.

2. After observing, with reference to the Secretary of State's Despatch, No. 14, of 9th July 1862, that dormant claims to waste lands are believed not to exist largely in the Central Provinces, and that no grant would be made without such claims being thoroughly sifted and disposed of, you note as the points of chief practical importance:—

1st. In what quantities may grants be allotted.

2d. What price per acre should be fixed.

3. As bearing on these questions you remark that the waste lands of the Central Provinces are subject to the following drawbacks:—

1st. They are very remote from markets and from labour.

2d. They are insalubrious until they are cleared of jungle.

3d. They are largely interspersed with rock, sand, and unculturable land.

In these respects you regard the waste lands of the Central Provinces as worse than those of other parts of India, and to compensate for these drawbacks, and to enable the Central Provinces to compete with Bengal and other provinces, you are of opinion that commensurate advantages must be offered.

4. To attain this object you propose:—

1st. To make grants in quantities larger than elsewhere, or, at all events, in quantities decidedly large.

2d. To fix a price per acre somewhat lower than elsewhere, or, at all events, decidedly moderate.

You fix therefore as a maximum:—

	<i>Acres.</i>
For Chutteesgurrh and Mundla - - - - -	10,000
For Sumbulpore, Seroncha, and Hoshungabad - - - - -	5,000
For all other districts - - - - -	3,000
Besides the difference in arrear of permissible grants you propose a differential scale for the price, namely, 4 annas per acre in Chutteesgurrh and Mundla if the grant be not less than - - - - -	10,000
Eight annas per acre, if it be not more than - - - - -	5,000
Eight annas per acre in Sumbulpoor and Seroncha, if the grant be not less than - - - - -	5,000
One rupee, if it be not more than - - - - -	3,000
One rupee per acre in Hoshungabad, if the grant be not less than - - - - -	5,000
Two and a half rupees, if it be not more than - - - - -	3,000
Two and a half rupees per acre in other districts.	

5. The rules proposed are to be in force for two years only, and open to revision of terms at the expiration of that period. Moreover, the rules are to be applicable only to grants of 500 acres and upwards. Smaller grants to be at the upset price of $2\frac{1}{2}$ rupees in all districts alike.

6. The Governor General in Council directs me to observe that, in framing these rules, you have on the important points of price and area not only not adhered to, but have proceeded in flagrant opposition to, the principles laid down both in Lord Canning's Resolution of 17th October 1861, and in the Despatch of the Secretary of State, No. 14, of the 9th July 1862. In both those documents it was deemed advisable, by fixing a reasonable price, and limiting the size of grants of land, to obtain some security for the transfer of the waste lands belonging to the public to *bonâ fide* settlers, or, in other words, to persons intending at once to utilize and improve them.

7. But the scheme which you have proposed is one which cannot fail to stimulate speculation in large grants with a view to re-sale. It must be obvious to you that no man would take small grants, if grants of 5,000 and 3,000 acres can be so designated, at 8 annas, 1 rupee, and $2\frac{1}{2}$ rupees, when, by taking double the quantity of land, he would only pay the same sum.

For instance, no one would pay 1,250 rupees for 500 acres, when for the same sum, and in the same locality, 5,000 acres could be had for the asking.

8. The Bengal Government has fixed 3,000 acres as the maximum, the North Western Provinces 5,000 acres; you propose 10,000 acres, and argue that the limit of 3,000 acres, as suggested in the Resolution of 17th October 1861, was only intended for Eastern Bengal.

But this is not quite correct, as the words of Lord Canning's Resolution are: "Probably 3,000 acres would be a suitable limit in Eastern Bengal, Cachar, Assam, and similar districts." The localities where land was more valuable were to have a lower limit, and from the mention made in paragraphs 22 of the districts like Sylhet, Cachar, and Assam, where a portion of the ground is swamp or unculturable land, it is clear that 3,000 acres were regarded as a suitable maximum for land thus circumstanced, and that the object of thus limiting the area, and of demanding immediate payment of a fair price, was to do away with any necessity for conditions or restrictions, and at the same time sufficiently to secure Government against attempts to monopolise advantages of situation with a view to re-sale.

9. The reasons which you have given in paragraph 15 of your letter for the rules which you have prescribed in respect to both the area and the price of grants are not wanting in plausibility, but the Governor General in Council does not find in them evidence of that full and cautious deliberation which alone could justify so decided a departure from instructions addressed to you by the highest authority. The Governor General in Council would infer from your letters that your knowledge of the quality and capabilities of the lands which you are in such haste to alienate is of a very limited and superficial character, and you do not seem to have taken into consideration the fact that, in many new countries (in some parts of North America, for example), the possession of large tracts of waste land by individuals who have not sufficient capital to improve them, and who, nevertheless, resolve to retain them until the improvement of adjoining lands gives them enhanced value, has been found to be one of the most formidable obstacles to national progress.

10. It is possible that the special circumstances of the Central Provinces may render it ultimately advisable to apply, with some modification to their case, the principles laid down in the Despatch of the Secretary of State. But the Governor General in Council is of opinion that the rules should, in the first instance, be framed in accordance with those principles, and that the necessary modification should be introduced after some experience has been had of their working.

11. I am therefore to forward, for your guidance, the enclosed copy of revised rules which have been published in the "Calcutta Gazette" by order of the Governor General in Council.

CENTRAL PROVINCES.—WASTE LAND SALE RULES.

THE following Rules for the sale of unassessed waste lands in the Central Provinces are published for general information:—

Rule I.—All unassessed waste lands in which no right of proprietorship, or exclusive occupancy is known to exist, or to have existed, and to be capable of revival, are available for purchase under these rules, unless specially reserved under Rule 19.

Rule II.—The maximum limits of the quantity of land which will, for the present, be sold in one lot, in the several districts of the Central Provinces, will be as mentioned below:—

1. Raepore	-	-	District	-	5,000 acres.
2. Belaspore	-	-	"	-	
3. Mundla	-	-	"	-	
4. Sumbulpore	-	-	"	-	
5. Upper Godavery	-	-	"	-	
6. Hoshungabad	-	-	"	-	
7. Nagpore	-	-	"	-	
8. Chanda	-	-	"	-	3,000 "
9. Bhundara	-	-	"	-	
10. Wurda	-	-	"	-	
11. Jubbulpoor	-	-	"	-	
12. Nursingpore	-	-	"	-	
13. Chindwarra	-	-	"	-	
14. Seonee	-	-	"	-	
15. Saugor	-	-	"	-	
16. Baitool	-	-	"	-	
17. Dumoh	-	-	"	-	

If, for special reasons in particular localities, lower maximum areas should be determined upon, due notice will be given.

Rule III.—Every lot shall be compact and shall include no more than one tract of land in a ring fence. No lot will be sold unless previously surveyed and demarcated. The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If, on completion of the survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

Rule IV.—Applications for the purchase of waste land shall be made to the Deputy Commissioner of the district, and every application shall contain the following particulars:—

- 1st. The estimated area of the land applied for.
- 2d. The situation of the land and its boundaries, as accurately as can be ascertained.

Rule V.—If the Deputy Commissioner is able to satisfy himself that the land applied for is available for purchase under Rule I., and within the conditions prescribed in Rules II. and III., and if the land shall have been previously surveyed and demarcated, he shall advertise the lot for sale, on a given day, at an upset price as hereinafter specified. The advertisement shall be published in both the English language and the vernacular of the district in the Deputy Commissioner's office, in the offices of the tehseldars of the district, and in the police stations, within the limits of which the land may be situated.

Rule VI.—If the Deputy Commissioner be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed, and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey, the advertisement of sale shall be published as above.

Rule VII.—The day of sale to be named in the advertisement shall not be less than 30 days from the date of publication of the advertisement of sale in the office of the Deputy Commissioner. The sale shall be held at the Deputy Commissioner's office. The sale may be postponed if, in the Deputy Commissioner's judgment, it be necessary; due notice being always given of the date on which the sale will be held.

Rule VIII.—If, before the day of sale, no claim of proprietary or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price if there be no higher bid.

Rule IX.—The upset price of the lands to be sold will, ordinarily, be as follows—but, in special cases, the Deputy Commissioner, with the sanction of the Commissioner, may put a higher upset price on any lot, provided that in no case shall the upset price exceed four times the ordinary rates:—

- (1). In the Raepore, Balaspore, and Mundla districts, 8 annas per acre.
- (2). In the Sumbulpore and Upper Godavery districts, 1 rupee per acre.
- (3). In the Hoshungabad, Nagpore, Chanda, Bhundara, Wurdlay, Jubbulpore, Nursingpore, Chindwarra, Seonee, Saugor, Baitool, and Dumoh districts, Rs. 2. 8. per acre.

The upset price will be calculated on the whole area of the lot, without any deduction on any account whatever.

Rule X.—On payment of one-tenth of the purchase-money, and of all expenses of survey, demarcation, advertisement, and sale, the purchaser shall receive a deed (in a form which will hereafter be issued by the Chief Commissioner) signed by the Deputy Commissioner; conveying to him the lot, in full hereditary and transferable proprietary right, free for ever from all demand on account of land revenue, but subject, nevertheless, to all general taxes and local rates imposed by law, or by the Local Government, and to any other claim, whether of the Government or otherwise, that may have been, or may hereafter be, established in any court of competent jurisdiction.

Rule XI.—If, before the day of sale, a claim of proprietary or occupative right in any part of the land be preferred, the Deputy Commissioner shall investigate the claim, and if satisfied that it is groundless, shall reject it and proceed with the sale.

Rule XII.—If on investigation any such claim should appear to be well grounded, the Deputy Commissioner may either reject the application for purchase of the lands, or refer it for the orders of the Commissioner. In the former case, the applicant may appeal to the Commissioner.

Rule XIII.—The Commissioner may direct the Deputy Commissioner either to reject the application or to proceed with the sale of the land, either unreservedly or on the conditions prescribed in Rule X; or, if any claim to right of proprietorship, occupancy, or use, in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected the amount deposited as cost of survey, after deduction of any expenses which may have been incurred in survey, demarcation, advertisement, or any other way incident to the transaction, will be forfeited or refunded, as the Deputy Commissioner or Commissioner may direct according to the circumstances of the case.

Rule XIV.—On being put in possession of the lot, the purchaser shall be bound to erect as many substantial boundary marks of masonry as the Deputy Commissioner may think necessary, provided it be not made incumbent on the purchaser to erect more than at the rate of four marks per mile of boundary line.

Rule XV.—If the land be purchased by any person other than the applicant, the estimated cost of the survey, deposited by the applicant under Rule 6, shall be returned to him, and the actual cost of survey and demarcation shall be charged against the purchaser in addition to the price of the land.

Rule XVI.—The purchaser may, if he choose, pay the whole of the purchase-money when the lot is sold, or the deed delivered to him. Or, if he choose, he may pay a portion not being less than 10 per cent. at the time of sale, and the remainder in instalments at any future time, not being more than 10 years from the date of sale. In the latter case, simple interest, at the rate of 10 per cent. a-year, will be charged on the unpaid portion of the purchase-money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale by order of the Deputy Commissioner, if the said amount of either principal or interest be not paid within the stipulated period. Should such sale take place the defaulter will have no claim for improvements against the Government or on any other account, except for the one-tenth of the purchase-money paid; and for that only, in the event of the amount realized at the second sale, at least equalling the amount of the original sale, plus any interest due to Government by the original purchaser on the unpaid portion of the purchase-money.

Rule XVII.—If the purchaser fail to pay one-tenth of the purchase-money and all other expenses, within three months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser, whose deposit will also be forfeited.

Rule XVIII.—No sale of waste lands once made by a Deputy Commissioner in conformity with these rules will be disturbed by any higher executive authority; but all such sales shall be immediately reported to the Supreme Government.

Rule XIX.—Reserves of grazing and forest land, of land for the growth of firewood, near towns and stations, of building sites, parks, recreation grounds, of tracts possessing mineral wealth, stone quarries and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Chief Commissioner. A list of these lands is under preparation, and will be published hereafter in the "Calcutta Gazette."

Rule XX.—Lands for the purchase of which application has been made under the Resolution of the 17th October 1861, will, if such application were duly registered, be dealt with in accordance with the terms of the said Resolution so far as the law allows.

Rule XXI.—From and after the date of the promulgation of these rules, no fresh applications for grants of waste lands under any previous rules will be entertained.

Rule XXII.—The rules relating to the disposal of claims to land for the purchase of which application may be made will be subject to the provisions of any law which may hereafter be passed for regulating the disposal of such claims.

Rule XXIII.—The above rules will continue in force for two years from the 1st January 1863.

(signed) *H. M. Durand*, Colonel,
Secretary to the Government of India.

— No. 11. —

Home Department.—Revenue—No. 2 of 1863.

To the Right Honourable the Secretary of State for India.

Sir,

We have the honour to forward the special narrative of the proceedings of the Government of Bengal noted in the margin,* transmitting papers relative to the Rules for the sale of Waste Lands.

* No. 1, dated the
19th January 1863.

We have, &c.

(signed) *Elgin and Kincardine.*
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.

Fort William, 31 January 1863.

(No. 1 of 1863.)

Government of Bengal.—Revenue.—Special Narrative.

Fort William, 19 January 1863.

In continuation of the Revenue Special Narrative No. 5, dated 23d September last, herewith are forwarded, for the information of the Right Honourable the Secretary of State for India, the papers noted in the margin, relative to the Rules for the sale of Waste Lands, which will be published for general information in the Supplement to the "Government Gazette" of the 21st instant.

Waste Land Rules, with Supplementary ditto from A. to O. in juxtaposition.

Letter from Secretary to the Landholders' and Commercial Association dated 3d November 1862.

Letter from Board, No. 378, dated 25th November 1862.

Letter to Board, No. 3394, dated 1 December 1862.

(signed) *E. H. Lushington*,
Secretary to the Government of Bengal.

Enclosure 1, in No. 11.

RULES for the Sale of unassessed Waste Lands, and for the Redemption of the Revenue of such lands already granted for a term of years, in the Lieutenant Governorship of Bengal, issued by Notification of Government of Bengal, dated 30 August 1862.

SUPPLEMENTARY RULES.

A. There is no prohibition against the same person applying for two or more lots of land, provided that each application comprises no more than 3,000 acres, or such other maximum as may be prescribed.

B. If it should appear from the survey or otherwise that the application does not comply with these conditions, the Collector may call for an amended application; and, in the event of a revised application not being given in within 15 days, the application shall be held to be cancelled, and the deposit shall be returned to the applicant less the amount of expense actually incurred for advertisement, survey, and the like.

C. In Darjeeling the Superintendent, and in Assam, Chota Nagpore, and the Sonthal pergunnahs, the Deputy Commissioners in charge of districts, will perform the duties of Collectors under these rules. Applications shall immediately be entered in a register in the Form A. attached to these rules.

RULES.

Rule 1. All unassessed waste lands in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed and to be capable of revival, are available for purchase under these rules, unless specially reserved under Rule 21.

2. No greater quantity of land than 3,000 acres shall be sold in one lot except with the express sanction of the Government. If for special reasons, in particular localities, a lower maximum area than 3,000 acres should be determined upon, it will be duly notified hereafter.

3. Every lot shall be compact, and shall include no more than one tract of land in a ring-fence; and when the land touches a public road or a navigable river, the length of the road or river frontage shall not exceed one-half the depth of the lot. No lot will be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated in consequence of an application for purchase. The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If, on completion of the survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

4. Applications for the purchase of waste land shall be made to the Collector of the district, and every application shall contain the following particulars:—

1st. The estimated area of the land applied for.

2d. The situation of the land and its boundaries as accurately as can be ascertained.

D. An advertisement shall also be published in the "Government Gazette." The form of advertisement is given in annexure C. A sum of 16 rupees to cover all estimated expenses connected with advertising shall be paid by the applicant in advance at the time of application.

E. The sum to be deposited will include the estimated cost of clearing the boundaries for survey, but is not, under any circumstances, to exceed four annas an acre.

F. Until the 1st of May 1863, sales of waste lands shall be held not less often than once a month; after that date sales shall be held quarterly, on the 2d of May, 2d of August, 2d of November, and 2d of January, or on the first day after those dates on which the Collector's office may be open. Where a sale is deferred, the notice of the date fixed for it will be given by an advertisement at the Collector's office. If the day to which the sale is postponed be more than 15 days after the date originally fixed, the date to which it is deferred shall be published in the manner prescribed by Rule 5 for the original notification of the day of sale. In this case all expense of advertisement shall be borne by the Government.

G. The cost of survey and advertisement will be payable by the highest bidder in addition to the upset price. Immediately on the conclusion of the sale, the highest bidder (if he be not the original applicant) shall deposit a sum equal to four annas an acre on the whole area of the lot. In default of immediate payment of this deposit, the Collector may at once re-sell the lot. If he think it necessary he may refuse to recognise any bid which is not supported by the deposit of the amount required by this rule. Immediately a sale is made, it shall be entered in a register in the Form B. annexed.

H. Forms of deed of sale will be prepared and forwarded as soon as possible.

5. If the Collector be satisfied that the land applied for is available for purchase, and within the conditions prescribed in Rules 2 and 3, and if it had been previously surveyed and demarcated, he shall advertise the lot for sale on a given day at an upset price of not less than Rs. 2. 8. an acre on the whole area. The advertisement shall be published in the Collector's office, in the Court of the Principal Judicial Officer of the district, and at the Moonsiff's Court (if there be one) and police-station within the limits of which the lands are situated.

6. If the Collector be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed, and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey, the advertisement of sale shall be published as above.

7. The day of sale to be named in the advertisement shall not be less than 30 days from the date of publication, and the sale shall be held at the Collector's office. The sale may be postponed if in the Collector's judgment it should be necessary, due notice being always given of the date on which the sale will be held.

8. If before the day of sale no claim of proprietary or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price if there be no higher bid.

9. On payment of one-tenth of the purchase money, and of all expense of survey, demarcation, advertisement, and sale, the purchaser shall receive a deed (in a form which will hereafter be issued by the Board of Revenue) signed by the Collector, conveying him the lot, in full hereditary and transferable proprietary right, free for ever from all demand on account of land revenue, but subject, nevertheless, to all general taxes and local rates imposed by law, and to any other claim, whether of the Government or otherwise, that may have been or may hereafter be established in any court of competent jurisdiction.

10. If before the day of sale a claim of proprietary or occupative right in any part of the land be preferred, the collector shall investigate

investigate the claim, and, if satisfied that it is groundless, shall reject it and proceed with the sale.

11. If on investigation any such claim should appear to be well grounded, the collector may either reject the application for purchase of the lands, or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner.

12. The Commissioner may direct the Collector either to reject the application or to proceed with the sale of the land either unreservedly on the conditions prescribed in Rule 9, or, if any claim to right of proprietorship, occupancy, or use in any part of the lands, be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected, the amount deposited as cost of survey will be forfeited.

13. On being put in possession of the lot, the purchaser shall be bound to erect as many substantial boundary marks of masonry as the Collector may think necessary.

14. If the land be purchased by any person other than the applicant, the estimated cost of survey deposited by the applicant shall be returned to him.

I. The interest due for any year or part of a year under this rule shall be payable on or before the 15th of May; and, if the amount be not paid on that date, the Collector may realise the amount by sale of the lot under the rules in force at the time being for the sale of estates on account of arrears of revenue due from other estates. Any balance of the purchase-money which may not have been paid up before the 15th of May of the tenth year following that of the sale may be realised in the same manner as an arrear of interest outstanding on that date. The proceeds of the sale shall be applied, in the first instance, to the payment of the costs of sale, and to the satisfaction of the demand of Government; the surplus shall be payable to the late registered proprietor or proprietors on their joint receipt.

15. The purchaser may, if he choose, pay the whole of the purchase-money when the lot is sold or the deed delivered to him. Or, if he choose, he may pay a portion, not being less than 10 per cent., at the time of sale, and the remainder in instalments at any future time, not being more than 10 years from the date of sale. In the latter case, simple interest at the rate of 10 per cent. a year will be charged on the unpaid portion of the purchase-money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale by order of the Collector if the said amount be not paid within the stipulated period.

16. If the purchaser fail to pay one-tenth of the purchase-money and all other expenses within three months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser, whose deposit will also be forfeited.

J. *Vide* Supplementary Rule G. above. Where the Collector is of opinion that, for special reasons, a higher upset price than Rs. 2. 8. an acre should be put upon the lot, he will, immediately the application is made, submit a report for the orders of the Commissioner. From Darjeeling such reports will be made to the Board. In considering the upset price to be fixed, collectors will not overlook the value of the trees on the land applied for.

17. The upset price will be calculated on the whole area of the lot without any deduction on any account whatever. Ordinarily, the upset price will be Rs. 2. 8. an acre, but in special cases the Collector, with the sanction of the Commissioner, may put a higher upset price on any lot, provided that the upset price of available waste lands shall in no case exceed 10 rupees an acre.

K. The sum to be refunded will be calculated on the average price paid per acre, excluding the cost of survey and advertisement.

L. Tables illustrating the mode of computing the value of future payments will be issued hereafter.

M. The report will be in the form of an extract of the entry from Register B., prescribed in Supplementary Rule G. above.

N. Until the list be published, district officers will reserve all forest lands, that is, lands on which valuable timber is growing.

O. All proceedings taken in conformity with the Resolution of 17th October 1861, will be recognised, and pending proceedings will be continued under the provisions of that Resolution. Where the application has only been made and registered, the next step will be the issue of the advertisement required by paragraph 17 of the Resolution; if the advertisement have already been issued, and the term of it have expired, the Collector will proceed to give the applicant a certificate of allotment under paragraph 18, unless others have come forward with offers to purchase the land, in which case the lot must be put up to auction under paragraph 30 of the Resolution. In all such cases the sales will be regulated by the rules laid down in the present notification.

18. If it should at any time be found that the same land has been included in more than one lot, it shall be held to belong to the lot first sold, and all subsequent sales shall, as regards such land, become null and void. In the event of any dispute regarding the boundary of two or more adjoining lots, the Collector may, on the application of any one of the parties, re-adjust the boundaries of the lots, and his decision shall be final. The price paid by any subsequent purchaser for land thus excluded from his lot will be refunded to him with simple interest at 10 per cent.

19. All grants of waste land already made for a term of years, under previously existing rules, in which no right of occupancy or proprietorship exists, except that of the grantee or that derived from him, will be treated for the purposes of this rule as if the land were permanently settled; and the grantees or their representatives may redeem the future land revenue of such grants, or of any compact part of them in perpetuity, for an amount equal to the present value of all future stipulated annual payments calculated at 5 per cent. interest, provided the said amount is not less than Rs. 2. 8. an acre on the whole area of which the revenue is redeemed.

20. All sales of waste land, and all redemptions made under these rules in each division, will be reported immediately to the Board of Revenue in such form as the Board may direct, but no sale of waste lands once made by a Collector, in conformity with these rules, will be disturbed by any higher executive authority.

21. Reserves of grazing and forest land; of land for the growth of firewood near towns and stations, of building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules, without the express sanction of the Government. A list of these lands is under preparation by the Board of Revenue, and when it has been approved by the Government it will be published in the "Gazette."

22. Lands for the purchase of which application has been made under the Resolution of the 17th October 1861 will, if such application were duly registered, be dealt with in accordance with the terms of the said Resolution, so far as the law allows.

23. From and after the date of the promulgation of these rules, no fresh applications for grants of waste land under any previous rules will be entertained.

H. L. Dampier,
Secretary.

Enclosure 2, in No. 11.

FROM *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, Calcutta, to the Honourable *A. Eden*, Officiating Secretary to the Government of Bengal, dated 3 November 1862.

Sir,

THIS Association has been favoured with a Circular Order of the Board of Revenue, No. 63, of the 14th October, circulating the rules for the sale of unassessed waste lands with certain rules supplementary to those issued by the Government of Bengal on the 30th August last, and I am directed by the Committee to submit, for the consideration of his Honor the Lieutenant Governor, remarks on two of these supplementary rules, to which it appears to them that there are objections.

Supplementary Rule F directs that, until the 1st May 1863, sales of waste lands shall be held not less often than once a month, and after that date quarterly, on the 2d May, 2d August, 2d November, and 2d January.

In the present state of the districts of Assam and Cachar, the exploration required for the selection of land can only be made at a particular time of the year, with much personal exposure and great expenditure of time; and after a selection has been made a further delay of considerable extent will occur before the land selected has been surveyed and marked off, as required by the rules; and should this process be completed, as will often happen, within 30 days of a quarterly sale day, a fresh delay of three months will intervene before the lot can be put up for sale.

It is thought that six months is not too long to calculate on for the selection and survey of grants, and that the system of quarterly sales will very often add three months to this period, so that it will frequently be nine months before an intending settler can have his selected piece of land put up to sale; and he will then be liable to be outbid, and will, therefore, to the last have no certainty of obtaining any result to his labours.

The uncertainty and great part of the delay are inseparable from the changes introduced in the rules of the 17th October 1861, by order of the Home Government, and we are aware cannot be obviated by his Honor the Lieutenant Governor; but the infrequency of sales will add greatly to the delay, and the Committee, therefore, beg to suggest that the monthly sales, instead of ceasing after the 1st May 1863, should be continued, at all events, until a survey of the country has rendered the selection of grants, and the other steps preliminary to the advertising for sale, more easy.

The other supplementary rule, to which I am directed to call attention, is N, with regard to the reserves of forest lands, and is as follows:—"Until the list is published, district officers will reserve all forest lands; that is lands on which valuable timber is growing." Applying this rule to Assam and Cachar as before, it is believed that the whole of the lands in these Provinces available for purchase are covered with a growth of jungle, and that it is scarcely possible to select any block of 3,000 acres, of average quality, on some part of which large trees are not growing, trees which are really of no value from the impossibility of conveying them from the place of their growth to a market, but still trees which would be valuable timber but for want of that facility of getting them moved to where they would be saleable.

It appears to the Committee that local officers may very probably consider themselves directed to reserve all lands on which large trees are growing without making inquiry to ascertain whether the site of growth is such that they are of no value as timber, nor likely to become of value, or the reverse; and thus the supplementary rule will, as regards the two provinces to which the attention of settlers is at present directed, practically place in abeyance the rules issued by the Government of Bengal on the 30th August, until the list of reserves provided for in Rule 21 has been published.

Where timber is scarce, as in some parts of India, great precautions to preserve existing forests may be advisable, but in Provinces which are all forest, and where scarcely any timber can be got to market, it cannot be necessary to issue instructions which virtually suspend all the rules, the prompt publication of which has been considered so gratifying.

In conclusion, I am directed to express the hope of the Committee that the tables referred to in Supplementary Rule L, for computing the value of payments required to commute leasehold into freehold grants, may be made public as early as practicable.

Extract of Letter from Darjeeling.

I have spoken personally about both to Captain Murray and to Mr. Ivey, the surveyor.

The former informed me that, in consequence of the great number of applications received, it was impossible to say what land was available, and the latter expressed himself totally unable to fix time for the survey. He gave me to understand, however, that with the present very inadequate staff of surveyors it could not take place for years.

Enclosure 3, in No. 11.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Officiating Secretary to the Government of Bengal (No. 378), dated 25 November 1862.

Sir,

I AM directed by the Board of Revenue to report on a letter from the Secretary to the Landholders' and Commercial Association, to your address, dated 3d instant, as required by your endorsement, No. 2787, of the 13th instant.

2. The Association has, in the opinion of the Board, shown good cause for an alteration in Supplementary Rule F. With his Honor's sanction the Board will modify the rule, and direct that sales be held on the 2d of each month, or on the first day after that date on which the Collector's office may be open, unless the Collector shall, with the sanction of the Commissioner, for special reasons, fix a later date in the month, notification of which shall be given at least a month before the later date is fixed.

3. The second part of the letter of the Association prays for a modification of Supplementary Rule N. His Honor will observe, that the Board have in this rule adopted the expression made use of in your letter, No. 2333, dated 10th ultimo, directing the present reservation of "all forest lands; that is to say, lands on which valuable timber is growing." The arguments advanced by the Association are of much weight, and a strict adherence to Supplementary Rule N, as it stands, would interfere to a considerable and unnecessary extent with the immediate allotment of grants. But there is an obvious difficulty in laying down any general rule defining what lands shall be reserved as being covered with "valuable" timber, until the local officers have drawn up their registers of waste lands after full local inquiry. The Superintendent of Darjeeling has already addressed the Board on this difficulty. They recommend that, until the registers be prepared, a discretion be left to the Commissioner (and in Darjeeling to the Board), to sell land although covered with the more valuable description of timber, on their being satisfied that the reservation of the tracts in question is not necessary for the object which the Government have in view.

4. Mr. Grote is of opinion that the guarantee held out by Rule 22 of the Government Notification of the 30th of August last, does not admit of any exceptional treatment under Supplementary Rule N of lands which have been applied for, and for which the applications have been duly registered under the Resolution of the Government of India, dated 17th October 1861. His colleagues, however, are clearly of opinion that paragraphs 23 and 24 of the Resolution of 17th October 1861, and Rule 21 of the Notification of the 30th of August last, leave the Government free to reserve any required land under whatever rules it may have been applied for.

5. The enclosure of your endorsement is returned.

Enclosure 4, in No. 11.

From the Honourable *A. Eden*, Officiating Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 3394), dated 12 December 1862.

Sir,

I AM directed to acknowledge the receipt of your letter, No. 378, dated the 26th ultimo, submitting the Board's report on the letter from the Secretary to the Landholders' and Commercial Association, dated the 3d idem, taking exception to the conditions F and N of the Board's Supplementary Rules for the sale of unassessed waste lands. With reference to your 2d paragraph, I am to state that the Lieutenant Governor agrees with the Board in the opinion expressed therein, and directs that Rule F may be modified so as to provide for monthly sales.

2. As regards the question of reserving forest lands, I am to request that the Board will be good enough to direct the local officers to lose no time in submitting a list of the lands which they propose to reserve under Rule 21 of the new rules. In the meantime the Lieutenant Governor is pleased to vest the Commissioners generally, and the Board, in the case of Darjeeling, with powers to say what are, and what are not, lands covered with valuable timber. His Honor is of opinion that for the present the best practicable definition of valuable timber forests is forests of teak, or saul—that is to say, lands in which such trees abound, not tracts in which merely isolated trees or small isolated patches of trees are found, and forests of other timber now actually valuable or marketable; that is to say, timber for which there is a present demand.

3. Referring to your 4th paragraph, the Lieutenant Governor concurs entirely with the majority of the Board in considering that there is nothing contained in Rule 22 of the notification of 30th August last which renders the reservation of forest lands a matter of difficulty, when applications for such lands have been registered under the Resolution of 17th October 1861. Rule 22 simply provided that applications registered under that Resolution would be dealt with in the spirit of the Resolution, one of the express conditions of which was that forest, fuel, and grazing reserves were not to be sold; and, as shown by the majority of the Board, the 21st of the new rules provides for the exceptional treatment of such lands.

— No. 12. —

Home Department.—Revenue.—No. 3 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G. C. B., Secretary of State for India.

Sir,

REFERRING to our letter, No. 15 of 1862, dated the 13th of September, we have the honour to transmit for your information copy of a correspondence with the Government of Bombay, relative to the adoption in Sind, with certain modifications, of the rules published by the Government of Bengal for the sale of unassessed waste lands. The rules were reported to you in our letter, No. 16 of 1862, dated the 26th of September.

From Bombay, No. 4267, dated 22d November 1862, and enclosure.
To ditto, No. 567, dated 23d January 1863.

2. You will observe that the Bombay Government also reported that, owing to the unsatisfactory character of the existing settlement, the question of the redemption of land-tax would not in the meantime be held applicable to Sind. We informed the Bombay Government that it was presumed that the term "redemption of land-tax" had been used inadvertently for "permanent settlement," the latter being the point referred to in our communication, to which the letter from Bombay was a reply.

We have, &c.
(signed) *Elgin & Kincardine.*
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.

Fort William, 2 February 1863.

Enclosure 1, in No. 12.

From *A. D. Robertson*, Esq., Acting Chief Secretary to the Government of Bombay, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 4267), dated 22 November 1862.

WITH reference to your communications noted in the margin, I am directed to forward to you the accompanying copy of a letter from the Commissioner in Sind, No. 232, dated 24 October 1862, and of the Government reply thereto on the subject of the sale of unassessed waste lands and the redemption of land revenue in Sind.

Letter, No. 4245, dated 15 August 1862, with accompaniments.
Memorandum, No. 4799, dated 5 September 1862, with accompaniments.

From *S. Mansfield*, Esq., Commissioner in Sind, to His Excellency the Honourable Sir *H. B. E. Frere*, K. C. B., Governor and President in Council, Bombay (No. 232), dated 24 October 1862.

IN reply to the references marginally quoted, on the subject of the sale of unassessed waste lands, I have the honour to state I consider that the rules published by the Government of Bengal in a Supplement to the "Calcutta Gazette," dated 27 September last, are in every way suitable for application to this province, and would, therefore, recommend their adoption, with the slight modification that, when land has been surveyed and marked off into fields by the settlement officers, no portion of a survey field be ever transferred, the grant invariably being made to include whole survey numbers or fields.

No. 3458, dated 15 September 1862.
No. 3519, dated 20 September 1862, with accompaniments.

2. This change I think advisable, as, considering the size of survey fields, it could never seriously affect any purchaser, while it would save the necessity of any fresh survey, and prevent confusion in Government registers of land.

3. The survey registers and maps would, moreover, serve as records of waste lands in every district, and would at once enable revenue officers to dispose of all applications made to them, thus fulfilling the ends of the registers proposed in the 2d paragraph of letter from the Secretary to the Government of India, dated 5th September last.

4. The other question on which my opinion has been asked, namely, the redemption of the land revenue, is one to which it is not so easy to reply. The circumstances of Sind are to a certain extent peculiar, as your Excellency is well aware.

5. No trustworthy records exist showing the value of land or its produce. Of late years, it is true, several attempts at valuation have been made, and rough assessments have been introduced. In some instances, as in the case of lands in the neighbourhood of the Munchur Lake, the rates thus fixed were far too low, while in other instances the reverse has been the case; and they have been found so high that they could not be continued. All that has been done has, in fact, clearly proved that we are not in a position at present to fix any fair assessment on the land.

6. In addition to this, the circumstances of Sind are rapidly changing. Cultivation in Upper Sind has for some years been increasing at the rate of nearly 20 per cent. per annum, and there seems no reason why this rate should not continue. The zemindars everywhere are increasing in wealth and enterprise, the population is multiplying, the facility of communication and the increased demand for produce are causing a rapid rise in the value of produce, and consequently in that of land; indeed everything tends to show that in a few years existing rates will be far below what Government has a right to demand, and that a larger revenue will easily be collected.

7. For the first time, too, an attempt is now being made to classify lands and fix a fair assessment on them after all their advantages and drawbacks have been considered. This settlement will not be completed throughout Sind for 10 years at least; and until this has been done, and the rates first imposed have been subjected to one revision, I do not think they could be made permanent without subjecting Government to very great losses.

8. The reason given by the Secretary of State for India in his Despatch of 9th July last, for deferring a permanent settlement in the Bombay and Madras Presidencies, applies with double force to Sind; if the rates in them were "adapted rather to the depressed circumstances of the agricultural population at the time they were imposed than to the prospective capabilities of the soil," and if they "are not at present generally in a condition which would warrant the authorisation of a permanent settlement at existing rates," much more is such the case in Sind, which, partly owing to the recentness of its annexation, and partly to the imperfection of the system of land revenue which existed throughout its districts at the time of conquest, is far behind any part of the Bombay Presidency in the matter of land assessments.

9. Everything, therefore, induces me to believe that the time for permitting the redemption of land revenue in Sind has not arrived; that, on the contrary, such a measure, if acted on, would cause very great loss to Government, and I would accordingly suggest that no rules authorising such redemption be for the present made applicable to this province. If any cases should arise in which it might be considered advisable to grant permission to redeem the revenue, these might be separately considered on their own merits, and submitted for the consideration of your Excellency in Council.

From *A. D. Robertson, Esq.*, Acting Chief Secretary to the Government of Bombay, to *S. Mansfield, Esq.*, Commissioner in Sind (No. 4266), dated 22 November 1862.

I AM directed to acknowledge the receipt of your letter, No. 232, dated the 24th ultimo, and in reply to state that his Excellency the Governor in Council accedes to your proposal for the adoption in Sind, with certain modifications, of the rules published by the Government of Bengal for the sale of unassessed waste lands, and to request that you will submit a draft of the rules you propose for re-publication as applicable to Sind.

2. The question of redemption of land tax, I am to add, will not apply to Sind.

Enclosure 2, in No. 12.

Home Department, No. 567.

From *E. C. Bayley, Esq.*, Secretary to the Government of India, to *H. L. Anderson, Esq.*, Chief Secretary to the Government of Bombay; dated Fort William, 23 January 1863.

Sir,

WITH reference to the letter from your office, No. 4267, dated 22d November last, I am directed to say that the Governor General in Council approves of the proceedings of the Bombay Government in having sanctioned the proposal of the Commissioner of Sind, for the adoption in that province, with the modification noted in the margin, of the rules published by the Government of Bengal for the sale of unassessed waste lands.

2. It appears to have been decided by the Governor in Council that "the question of redemption of land tax will not apply to Sind," owing to the unsatisfactory character of the existing settlement, which does not enable

That "when land has been surveyed and marked off into fields by the settlement officers, no portion of a survey field be ever transferred, the grant invariably being made to include the whole survey numbers or fields."

enable the Government as yet "to fix any fair assessment on the land." The question, however, which was asked in the 3d paragraph of this office letter, No. 4245, dated 15th August last, had reference not to the redemption of the land tax, but to the permanent settlement of the land revenue. It is presumed that the words "redemption of the land tax," have been used in your letter under acknowledgment, and its enclosures by mistake for "permanent settlement."

I have, &c.
(signed) *E. C. Bayley*,
Secretary to the Government of India.

— No. 13. —

Home Department.—Revenue.—No. 4 of 1863.

To the Right Honourable the Secretary of State for India.

Sir,

IN continuation of our letter, No. 2, dated the 3d ultimo, we have the honour to forward the special narrative of the proceedings of the Government of Bengal, noted in the margin,* transmitting papers relative to waste land in Darjeeling.

* No. 2, dated 21st January 1863.

Fort William, 6 February 1863.

We have, &c.
(signed) *R. Napier*,
H. B. Harington,
H. S. Maine,
C. E. Trevelyan.

(No. 2 of 1863.)

Government of Bengal.—Revenue.—Special Narrative.

Fort William, 21 January 1863.

IN continuation of the Special Narrative, No. 1, dated the 19th instant, of this Department, the papers noted in the margin, which have been published in the Supplement to the "Government Gazette," of the 17th idem, are forwarded herewith for the information of the Right Honourable the Secretary of State for India.

Letter from the Secretary to the Board of Revenue, No. 349, dated 28th October 1862.
Letter from the Superintendent of Darjeeling to the Secretary to Board of Revenue, No. 960, dated 6th September 1862.
Letter from Government to Board of Revenue, dated 2d December 1862.
Letter from Board of Revenue, No. 412, dated 23d December 1862.
Letter from Superintendent of Darjeeling to Board, No. 1354, dated 3d December 1862.
Letter from Captain P. G. Cornish to Superintendent of Darjeeling, dated 26th November 1862.
Letter from H. Dear, Esq., to Superintendent of Darjeeling, No. 234, dated 3d December 1862.
Letter from Government to Board of Revenue, No. 3491, dated 30th December 1862.

(signed) *E. H. Lushington*,
Secretary to the Government of Bengal.

Enclosure 1, in No. 13.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Under Secretary to the Government of Bengal (No. 349), dated 28 October 1862.

Sir,

IN reply to your letter, No. 1402, dated 2d August last, I am directed by the Board to report that it appears that, although several applications were registered, no lands have been formally assigned by local officers in any district under the misapprehension that they were authorised to give effect at once to the Resolution of the Supreme Government, dated 17th October 1861.

2. I am, however, to submit copy of a letter from the Superintendent of Darjeeling No. 960, dated 6th ultimo, reporting in detail on certain cases in which applications were made to Dr. Campbell.

3. In none of these cases was the advertisement issued, which is required by paragraph 17 of the Resolution of the 17th October; the Board therefore recommend that the Superintendent be directed to issue the advertisements at once on each case, and to proceed under Rule XXII. of the Government Notification of 30th August 1862.

From *H. C. Wake, Esq., c.b.*, Superintendent of Darjeeling, to the Secretary to the Board of Revenue, Lower Provinces (No.960), dated 6 September 1862.

Sir,

IN reply to your Circular, No. 916, dated 23rd August, I have the honour to inform you that no assignments have been made in this district under the Government of India's Resolution of the 17th October 1861.

2. With reference, however, to Clause 76 of the Despatch of the Secretary of State of the 9th of July 1862, which rules that the orders in question are not to have retrospective effect, and that the Board may be prepared for the claims which will doubtless be preferred on the grounds of "arrangements already concluded," I will detail all the instances in which any arrangements have been made by my predecessor, premising that, as the Board are by this time doubtless aware, an attempt will be made generally to prove that the reception of survey money gives the applicants a title.

3. On the 3rd of January Mr. Dear paid the purchase money of 500 acres of land at Kinchintong, at 2 rupees 8 annas an acre, in full 1,250 rupees; his application having been made on the 31st December 1861, under the Resolution of the 17th October 1861.

4. On the same date Mr. Rundle paid a similar amount for the same quantity of land in the same place.

5. On the 1st February 1862, Captain C. Murray, Officiating Superintendent, wrote to Captain Cornish, who had applied for 3,000 acres, situated at Merick, as follows:—"The usual assignment will be made on the land being surveyed. As there are no other applications made for the same, you can commence operations pending the above survey." On the same date he wrote the same to Mr. F. N. Cornish, who had applied for 3,000 acres situated on the Setong Spur.

6. These are the only instances in which the price has been received or positive assurance of assignment given.

7. On the 11th December 1861, Dr. Campbell wrote to Mr. Jennings, who had applied for 2,000 acres situated in the Terrai, that after survey, "the land, or as much of it as was available, should be granted."

8. On the 26th November 1861 he wrote to Mr. Lindeman, who had applied for 100 acres, situated on the new cart road towards Selim, your application "to that extent shall be complied with as soon as may be under the new Resolution."

9. On the 23rd of December 1861, Dr. Campbell called upon applicants by circular to pay in, without delay, two annas per acre towards the survey expenses; and Messrs. David Cowie, Southby, Scanlan, Mohamed Torikaola, Troylucko Nath, Brine, Donoghue, and Stalkart, complied with his order. Many other applicants for land, paid bills for line-cutting and survey submitted by Major Sherwill, Revenue Surveyor.

10. The ground on which all these applicants, and particularly those who have received positive assurance of assignment, ground their claims is, that they have gone to considerable expense in making arrangements for the cultivation of the land of which they considered themselves the prospective owners.

Enclosure 2, in No. 13.

From the Honourable *A. Eden*, Officiating Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 3112), dated 2 December 1862.

Sir,

IN reply to your letter, Nos. 349 and 350, dated the 28th and 30th October last, on the subject of the waste lands at Darjeeling, I am directed to refer the Board to Orders No. 2688, dated the 6th ultimo, and to state that the Lieutenant Governor sees no reason for making any exception at all as regards the advertisement required by paragraph 17 of the Resolution of the 17th October 1861.

Enclosure 3, in No. 13.

From *H. L. Dampier, Esq.*, Secretary to the Board of Revenue, Lower Provinces, to the Secretary to the Government of Bengal (No. 412), dated 23 December 1862.

Sir,

I AM directed by the Board of Revenue to submit, for the consideration of his Honor the Lieutenant Governor, the accompanying letter, No. 1354, dated 3d instant, from the Superintendent of Darjeeling, with enclosures.

2. The

2. The cases of Messrs. Dear & Rundle and Captain Cornish, are among those which were specially mentioned in the Superintendent's letter, No. 960, dated 6th September 1862, which was submitted to Government with my letter, No. 349, dated 28th October. With those facts before him, his Honor the Lieutenant Governor, in concurrence with the Board's recommendation, ordered that no exception should be made to the rule that the advertisements must be issued in all cases.

3. This course was necessary as a distinct assertion of the principle that the Government was in no way bound by the arrangements made, or the expectations raised by the Superintendent of Darjeeling in excess of the authority which had been delegated to him. This having been done, the Board would now submit, for the Lieutenant Governor's consideration, whether concessions should not be made to those who were so far misled by the late Superintendent's misapprehension of his authority under the Resolution of the Governor General in Council, dated 17th October 1861, as to take actual possession and to commence clearances or other operations on the land.

4. It will be seen that in Captain Cornish's case there was a specific permission from Captain Murray, then Officiating Superintendent, to commence operations at once; but the Board do not think that absence of this specific sanction in other cases is of much weight as altering the nature of the case. Possession would hardly have been taken without an implied permission from the Superintendent, and they look upon the written communication of that permission as a mere accident.

5. If the Lieutenant Governor concurs with the Board in this view, and sees the same difficulty in drawing a line between applicants who have acted in anticipation of a formal assignment of the lands applied for, he will probably also agree with them in the opinion that, if concessions are to be made in favour of Captain Cornish or Mr. Dear, they should embrace the cases of all registered applicants who have actually entered on occupancy and commenced operations on their lands. Such lands might be excluded from sale where the occupants agreed to pay for them at 10 rupees an acre, being the higher rate at which they were obtainable before the date of the Resolution, and which, it is hoped, will be realised at auction sale. If these terms be refused, the sales might be allowed to proceed.

6. Several sales, it will be seen, are fixed for the 4th proximo.

From *H. C. Wake, Esq., c.b.*, Superintendent of Darjeeling, to the Secretary to the Board of Revenue, Lower Provinces (No. 1354), dated 3 December 1862.

Sir,

I HAVE the honour to forward the enclosed protest* addressed to me by Mr. Dear; this is one of the special cases mentioned by me in paragraph 3 of my letter, No. 961, dated 6th September last. When his Honor the Lieutenant Governor was here, I brought these cases to his notice, pointing out their hardship, but after the decided reply of the Board on the subject in their letter No. B, dated 26th September last, I had no option but to advertise the lot with the rest.

* To be returned when done with.

2. Having, however, received this protest, I must request the orders of the Board that I may withdraw it at time of sale.

3. A protest by Captain Cornish, also enclosed, being received before the issue of the advertisements, I have refrained from advertising the land referred to pending final orders.

From Captain *P. G. Cornish*, Invalid, to *H. C. Wake, Esq., c.b.*, Superintendent of Darjeeling, dated Darjeeling, 26 November 1862.

Sir,

HOLDING certain letters, as you are aware, authorising me to commence operations at Merig and Mahalderam, pending survey, &c., and such survey, in the one instance (Merig), having been completed, and believing also you consider my title under such letters as deserving of consideration, may I request you will do me the favour, pending the orders of Government, of not including the lands in question in the advertisement which I am given to understand is about to be forwarded for publication in the "Government Gazette."

From *H. Dear, Esq.*, to *H. C. Wake, Esq., c.b.*, Superintendent of Darjeeling (No. 234), dated Darjeeling, 3 December 1862.

Sir,

I HAVE the honour to state that, owing to my friend and partner, Mr. C. Rundle's, severe indisposition, I have been unable before now to address you on the subject of our one thousand acres of land at Rinchintong, for which we applied, and which we hold according to the Governor General's Orders, dated the 17th October 1861; but, in finding this morning a notice posted at your cutcherry, in which the said land is advertised for sale on the 4th proximo, I lose no time in addressing you on the subject.

On behalf of Mr. Rundle and myself, I beg most respectfully to protest against the sale of the aforesaid land on the following grounds:—

You are aware that we have already paid the full price of it to your predecessor, for which we hold his receipts, and that the money has been credited to Government, and

under a firm conviction that we had a clear right and title to the land, we are in possession of it.

And, in pursuance of the object with which we applied for the land, we have incurred, and are incurring, considerable expense in establishing tea plantations thereon. We respectfully submit that, if any of the formalities prescribed in the Governor General's Resolution of the 17th October 1861, or in subsequent orders, have not been strictly carried out by your predecessor, it would be a most hard case indeed that we should suffer for it who have fulfilled our part of the engagement.

I beg, therefore, you will have the goodness to treat Mr. Rundle's case and mine as exceptional and peculiar, and make a favourable representation thereof to Government, and meanwhile withdraw the order for sale on the 4th proximo.

Enclosure 4, in No. 13.

From *E. H. Lushington*, Esq., Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 3491); dated 30 December 1862.

Sir,

Your letter, No. 412, dated the 23d instant, with its enclosures, having been laid before the Lieutenant Governor, I am directed to state, for the information of the Board, that, in dealing with the present case, it is essential to remember that it was not competent to the Superintendent of Darjeeling to entertain or register applications for waste land under the Resolution of the 17th October 1861, much less to allot such land, to receive the estimated cost of its survey, to sell it, or to give possession until rules of procedure had been laid down by the Local Government, in accordance with paragraph 20 of the Resolution.

2. Even if the Superintendent of Darjeeling had had authority to act under the Resolution, and if the rules required by paragraph 20 of the Resolution had been laid down, his Honor observes that his proceedings in these cases would have been entirely erroneous, and in several material points opposed to its express provisions, for the applications were not advertised as required by paragraph 17, no opportunity was given to other purchasers to offer to buy the same land, and it is even said that several other persons who applied for these very lands were told that they had been already disposed of.

3. It is only grants made in conformity with the rules of procedure required by paragraph 20 of the Resolution to be laid down by the Local Government that were declared not liable to be disturbed; but no such rules were ever laid down, and it is clear, therefore, his Honor thinks, that the applicants, to whom these lands have been made over by the irregular and unauthorised act of the Superintendent, have no title whatever to them. The Government has entirely repudiated the acts of the Superintendent, and does not hold itself bound by them.

4. In like manner the Secretary of State, in declaring that his orders are not to have retrospective effect, exempts from their operation only lands in respect to which arrangements have been actually completed under the provisions of the Resolution; but these arrangements, so far from having been made under the provisions of the Resolution, were made in direct contravention of them, and are certainly not such arrangements as the Government can support or acknowledge. It cannot be allowed, that the persons into whose hands the lands have thus irregularly passed shall be allowed to acquire them on the most favourable terms set forth on the Resolution, when none of the conditions on which those terms were sanctioned have been complied with.

5. The Lieutenant Governor has no objection, however, to allow those who have actually entered on the occupancy of lands, for which they were registered applicants, to retain the lands on the terms on which the Superintendent was authorised to dispose of them at the time under previously existing rules. If, therefore, the holders of such lands are willing to pay for them at 10 rupees an acre they may be permitted to keep them on those terms, and the lands will not be put up to auction, otherwise the sales must go on.

6. In conclusion, I am to forward, herewith, for disposal by the Board, with reference to the above orders, a memorial,* in original, from certain landholders and tea planters of the District of Darjeeling, addressed to his Excellency the Viceroy and Governor General of India in Council, dated the 10th instant, and to observe that no further relaxation of the rule can be admitted.

*Dated 10th instant.

— No. 14. —

EXTRACT India Revenue Proceedings, January 1862.

(No. 18.)

From *W. F. Fergusson*, Esq., Secretary to the Landholders' and Commercial Association, to *W. Grey*, Esq., Secretary to the Government of India; dated 14 January 1862.

I HAD the honour of addressing you on the 25th November last, on behalf of this Association, to express the great gratification which had been felt by the members at the announcement of the Government Resolution of 17th October last, in reference to the sale of waste lands and redemption of the land-tax.

The Association, then and since, has stated its belief that the announcement of this wise and liberal measure would be received with as much pleasure in England as in India: that it has been so received is abundantly proved by the tenor of private correspondence, and of the public accounts sent from home since the particulars of the Government Resolutions arrived there.

I am desired now, respectfully to request that you will lay before his Excellency the Governor General in Council the strong feeling entertained by the members of this Association, that there is yet another step wanting to complete this great work, and to urge that all classes of Her Majesty's subjects should be permitted to purchase and hold lands in India. At present the members of the Civil and Military Services are prohibited from doing so, although land may be held by Natives in Government employ; and while the Committee feel how entirely any alterations in this respect must be a matter for the consideration and determination of Government, they would at the same time desire to express their opinion, that if the members of the services, and all classes in Government employ, were allowed to hold lands on the same terms as granted to others, that such a permission would be attended with the happiest effects, and prove beneficial at once to the Government, to their servants, and to the general interest of India.

(No. 19.)

From *A. M. Monteath*, Esq., Under Secretary to the Government of India, to *W. F. Fergusson*, Esq., Secretary to the Landholders' and Commercial Association (No. 629), dated 31 January 1862.

I AM directed to acknowledge the receipt of your letter dated the 14th instant, submitting, for the consideration of Government, that all classes of Her Majesty's subjects in India, including members of the Civil and Military Services, should be permitted to purchase and hold lands in India, and in reply to refer you to the Resolution of Government in this department, bearing date the 14th instant, on the subject.

— No. 15. —

EXTRACT India Revenue Proceedings, March 1862.

(No. 1.)

From *E. H. Lushington*, Esq., Secretary to the Government of Bengal, to *W. Grey*, Esq., Secretary to the Government of India (No. 78A), dated 27 January 1862.

I AM desired to forward, for the consideration and orders of his Excellency the Governor General in Council, the accompanying copy of a letter, No. P., dated 18th instant, from the Officiating Commissioner of the Sonthal Pergunnahs, requesting orders as to what kinds of lands are to be considered belonging to the Hill-people, with reference to the Government Resolution concerning the sale of waste lands, and to observe that, as to the lands of Sonthals, whether cultivated or in pasture, there can be no doubt that it is impossible for Government to sell them as waste lands, because neither are the lands waste, nor has Government the sole property in them.

2. As to the hills, it seems to the Lieutenant Governor that whatever may be done with any uninhabited hills, those on which Paharees live, or those on which they cultivate, cannot be sold under the Resolution; and that in respect to uninhabited hills, if they are granted in order that they may be reclaimed and cultivated, the grants cannot be made under the new rules, but only in accordance with some special arrangement to be come to with the Paharees.

3. In conclusion, I am desired to solicit such early instructions as may be necessary.

(No. 2.)

From *A. Money*, Esq., c. b., Officiating Commissioner of the Sonthal Pergunnahs, to *E. H. Lushington*, Esq., Secretary to the Government of Bengal (No. P.), dated 18 January 1862.

I HAVE the honour to submit, for the consideration and orders of the Lieutenant Governor, a subject of much importance, regarding which I would respectfully solicit the issue of orders as soon as possible.

2. When the Government Resolution concerning the sale of waste lands appeared, I concluded that, if any doubt arose regarding the sale of all, or a portion of, the Damun-i-Koh, I should be referred to.

3. I also understood that rules were being prepared by the Board regulating the mode, &c. of sale; and I took it for granted that the Board, while preparing such rules, would adapt and modify them according to the differing circumstances of the various parts of the country in which waste lands are to be found.

4. In short, I assumed that, as regards the Damun, the Government, or those to whom the preparation of rules had been entrusted, either had before them all the information necessary, or would apply to me if more was required, and that meanwhile I was not called upon or expected to discuss the subject.

5. I now believe I was in error; when lately in Calcutta, I understood that the Board's rules, as prepared, are general. It devolves, therefore, upon me to bring to the notice of Government any peculiar circumstances or facts connected with the Damun, which would seem to require special orders.

6. The point I now beg to refer is this:—what parts and portions of the Damun-i-Koh are to be considered as waste lands, liable to sale under the Government Resolution?

7. The tract known as the Damun consists of the chain of hills called the Rajmahal Hills, of the valleys between these hills, and of a portion of the low ground at the outer foot of these hills, divided from the adjacent plain by a chain of pillars, and to which the term Damun more especially applies.

8. All the land within this tract belongs exclusively to the Government. The references in the margin* show that this has been authoritatively ruled.

The first extract disposes of the hills and intervening valleys; the second of the low ground at the outer foot of the hills, called the Damun-i-Koh.

9. In 1824 the Government appointed two officers to Bhaugulpore, "for the purpose of asserting the rights of Government in the hills of that district, and in the adjoining forests and tracts denominated the Damun-i-Koh.†"

10. There is, therefore, no doubt as to the general right of Government to the whole tract.

11. But this right is only that of any other proprietor, and may contain within it other subordinate rights.

12. In the valleys between the hills and in the Damun, cultivation has almost entirely been introduced and extended by the Sonthals.

13. Throughout

* Paragraph 32 of Resolution of Supreme Government, 17th July 1823.

The excesses to which the Hill-people were driven, by the cruelty of the zemindars and others to whom they had thus been abandoned, obliged the British Government to resume the whole tract, and to bring it under its direct management. This was done long before the perpetual settlement, and before any declaration had taken place on the subject of zemindaree rights, and was a measure in which all parties fully acquiesced, as the only means of restoring the country to peace. The Hill-people thus became the direct ryots of Government, and all rights that may at any previous time have attached to the zemindars or others, over the hills and contiguous tracts of land occupied by the mountaineers, must be regarded as having ceased.

Paragraph 36 of Resolution of Supreme Government, 17th July 1823.

Under these circumstances, the Governor General in Council has no hesitation in maintaining the principle then assumed, and in declaring the right of property in the Damun-i-Koh (when not assigned by any Act of the Government, or especially confirmed to any former assignee, as in the case of the jagheer noticed by Mr. Sutherland) to be at the disposal of the State.

† Paragraph 1 of Government letter to Revenue Board, No. 179, of February 1824.

13. Throughout the whole tract, the various and numerous Sonthal villages hold at present under similar leases, having yet six years to run.

14. These villages have the right of occupancy, and the right derived from original clearing of the soil. Such rights are not confined to the cultivated parts only, but extend to such uncultivated or waste ground as the villagers have been in the habit of using as grazing ground, and which have therefore been by them considered as parts of their villages.

15. With the exception of a few new villages, almost all the Sonthal villages, that is, almost all which existed in Mr. Poutel's time, had their boundaries settled and defined by him.*

* This is stated to be the case, but the demarcation papers cannot be found.

15½. In the valleys and in the Damun, properly so called, the Sonthals therefore possess a rightful claim to much the greater portion of the land. Mr. Yule wrote in 1859 as follows:—

“There remain there, say, 200 square miles of level waste land; but some portion, if not the whole, of this is probably within the limits of Sonthal villages—a matter of little consequence, however, as the Sonthals will willingly give up a part of their waste lands for a small sum in cash, or a trifling reduction in their village rent.”

16. If in 1859, more than two years ago, there were but 200 square miles of level waste, of which some portion, if not the whole, was probably within the limits of Sonthal villages, it is certain that now the amount of waste must be considerably less, and that of what remains a still smaller portion than formerly is free from Sonthal claims.

17. As to the hills, Mr. Yule, in paragraph 10 of his letter above quoted, promised to report on the rights of the Pahareeas.

18. No report was however made, but information was called for from all the Sonthal officers.

19. The Resolution of Government of 1823, quoted at the beginning of this letter, disposes of any doubts as to the legal relation of the Pahareeas to the Government. That Resolution declares them to be Government ryots; their hills, therefore, are Government property, and, like other ryots, they are clearly liable to pay rent whenever the Government chooses to demand it.

20. But like the Sonthals, and still more than the Sonthals, they possess the rights which spring from long occupation.

21. What these rights are in their case it is very difficult to ascertain or define.

22. In 1823 the Government was satisfied with the vindication of its authority and the declaration of its rights. That it never contemplated enforcing these upon the aboriginal inhabitants of the hills is evident from paragraph 33 of the same resolution, which states that “Government can have no desire to interfere with the existing possessions of the Hill-people in the mountains, or to assert any right incompatible with their free enjoyment of all which their labour can obtain from that sterile soil.”

23. From the reports sent in by the Sonthal officers, it appears that the Hill-people universally consider their right to be that which the Government in the above extract conceded as an indulgence. “The Pahareeas,” says Mr. Browne Wood, then Officiating Deputy Commissioner, “no doubt consider the hills as their private hereditary property; they buy and sell them as if they were their own,” &c.

24. I give extracts from the answers of some of the most intelligent of the Pahareeas, who were interrogated by the Assistant Commissioners, and also from the letters of those officers themselves.

25. It is evident, moreover, that the Pahareeas were not alone in their belief that the hills belonged to them, and that so long at least as they abstained from their old plundering habits, they would not be interfered with. There are three perwannahs† of Mr. Poulet, Superintendent Damun-i-Koh, acknowledging that right in three separate instances. Captain Sherwill, in paragraph 28 of his printed report, states that “all land within the pillars was claimed by Government, and by Government given over to the Hill-men, to be held by them as long as they behaved themselves in an orderly manner;” and it is moreover quite clear, from the correspondence which took place between the Commissioner and his Sonthal officers at the end of 1859, consequent on the Government inquiries with regard to waste lands, that no definite ideas existed, even among officials on the spot, as to the real and legal rights of the Pahareeas.

† Translations of these perwannahs are annexed.

26. We have thus, in the tract called the Damun, two classes of people—the one Sonthals, with rights, in general, clearly defined and, where doubtful, susceptible of decision (for this tribe, like all cultivating races, are already “most jealous and watchful of their boundaries, the slightest encroachment being made cause of instant complaint”); the other Pahareeas, with rights also very clearly defined, according to their own views and belief, but regarding which it is now necessary the Government should issue an authoritative ruling.

‡ Paragraph 8 of Mr. Browne Wood's letter to Commissioner, No 8, of 1st August 1860.

27. Without such ruling it will be impossible for the local officers to know how far they can carry out the instructions of Government as to waste lands.

28. Paragraph 16 of the waste-land instructions supposes questions of claim to property to be generally capable of settlement by the Collector's registers ; but this question of the rights of the Hill-men having never been mooted, its decision is to be found in no record.

29. Local officers can only follow the laws or the orders of Government ; they cannot pronounce upon matters where no precedents exist to guide them.

30. Moreover, any mistake on these points might subject the Government to the unknown loss to which it is liable under paragraph 19 of the Resolution.

31. What, then, are we to consider as the rights of the Hill-men ?

32. If we accept their definition, or decide according to the spirit of the Government Resolution of 1823 (paragraph 33), or allow that the undisturbed possession of years gives a just claim, then the Paharees have rights over every hill in the Damun, and over such small portions of ground at the foot of the hills as they have cleared and cultivated.

33. This interpretation would leave to the Government very little disposable waste land ; for, as shown already, by far the greater portion of the low country and of the valleys belongs now to the Southals.

34. Under this interpretation, either no lands on the hills could be sold, or the Government would be obliged, before selling, to buy first from the Paharees such hills as it intended to dispose of.

34½. But if the Government determine not to recognise to the full the claims put forward by the Hill-men, it will still be necessary to define what they are to be considered as entitled to.

35. Is every hill on which a Paharee village exists to be exempt from sale, or only a portion of it ; and if so, what portion ?

36. Are hills on which no village exists, but of which a portion is under cultivation by the inhabitants of a neighbouring village, to be exempted from sale, and considered the property of the neighbouring village, or is only the cultivated portion to be so considered ? In some places, especially towards the south, the Paharees have moved their villages from the summit to the foot of the hills, cultivating a portion of the slope and a portion of the flat below it.

37. It should be remembered that cultivation by the Paharees is of the scantiest description ; it is well described in page 33 of Captain Sherwill's report :—" Labour is the Hill-man's abhorrence, but necessity compels him to cultivate a small portion of the land for his actual existence ; beyond this trifling labour he never exerts himself. He will, nevertheless, fish, or hunt, or roam over miles of the forest, searching for honeycombs, wild yams, and other edible roots ; he will travel many miles to get a shot at a deer or to secure a peacock. Such labour he considers in the light of amusement, but to have to clear away the forest for his crop he considers a great hardship ; but clear it he must, and the Hill-man generally chooses the most precipitous hillsides as the ground best fitted for his crops. In these spots an iron-shod staff, or a pointed stick, hardened by charring, is used instead of the plough ; with this implement holes are made in the soil, at the distance of a foot or less from each other, into which are dropped a mixture of the following seeds—Indian corn, junera, bora beans, and the seeds of several small pulses."

38. The mode of life here delineated is an important element of consideration. If the hills over which the Paharee at present roams are sold, and their access denied to him ; if we confine him to the narrow limits sufficient for a civilized and cultivating being, we drive him to one of three alternatives—agriculture on his own account, service with the neighbouring purchaser of waste, or return to his traditional pursuits of plunder and raid-making. As the fertile ground below his hill becomes more and more cleared, the first alternative will be gradually closing against him, and only the other two will remain ; unless, indeed, the race should slowly decrease and become extinct, under influences so contrary to their habits and modes of life.

39. The abolition of the Bhaugulpore Hill Ranger Regiment, if it ever takes place, will, by stopping the supplies on which many families depend, hasten the time when the Hill-man must choose between the alternatives above enumerated.

40. It may, perhaps, be said, that a race leading such idle and unproductive lives deserve but little consideration.

41. Has the Government itself, however, nothing to answer for ?

42. May it not be urged that the system of pensions granted to the Hill Chiefs must have had the effect of encouraging idleness ? Mr. Cleveland appears to have seen the danger afar off : for shortly before his death, in August 1783, he proposed to the Government a plan by which the Hill-people were to be induced to leave their hills for the plains below, and a life of sloth for one of agricultural occupation.

43. In 1795, M. Fombelle, his successor, suggested again to the Government a similar measure, but on neither proposition did the Government take action.

44. The

Mr. Sutherland's
report of 1819,
paragraph 49.

Mr. Sutherland's
report of 1819,
paragraph 55.

44. The question of the Hill-people's pensions has also been often mooted, but without any very definite result.

45. I cannot but think that, if those pensions had been commuted to grants of low-land, and if the Hill-people had been assisted by donations of bullocks and ploughs, a gradual change might have been wrought, and the Hill-men have been partly driven, partly led, into habits of labour and productive industry.

I fear I have written at great length, but the subject is an important one, and one as to which there should be no doubt or possibility of mistake, and I have been anxious to put before the Government all the information I could gather.

46. In conclusion,

47. The point upon which definite orders are solicited is—

48. With reference to the Resolution of Government regarding waste lands, what kinds of lands are to be considered as belonging to the Hill-people, and exempt, as such, from sale?

49. An early answer is solicited, as many applications are already before me for grants of land.

50. I had intended submitting some remarks regarding the survey referred to by Mr. Yule, in paragraph 10 of his letter of 23rd December 1859; but these remarks will be more appropriate when the points now submitted are disposed of.

EXTRACT from a Letter from the Assistant Commissioner of Pakour, to the Commissioner of the Sonthal Pergunnahs (No. 64, dated 19 February 1860), containing statements of some of the chief Hill-men.

Burkhope.—Before Mr. Cleveland's time the Pahareea insurrection took place. Mr. Cleveland met the Pahareea Sirdars at Diggee, and also with him was the Suzawal Abdool Russool Khan, and the matter was then settled by Mr. Cleveland giving us the hills rent-free, and by settling pay on us—two rupees to the Manjees, three rupees to the Naibs, and ten rupees to each Sirdar per month.

The same rights by which we enjoy the hills, the cultivated parts of the hills, give us the trees and forests on them. Whoever cut timber from our forests had to pay the Manjee from whose hill it was cut.

Patsundah.—We are the original inhabitants of this country; the Sonthals emigrated from some other part of the country; and in order that we should have homes, Mr. Sutherland gave us the hills rent-free to live on; and after this Mr. Cleveland appeased the insurrection, by giving some of us pensions and forming the Bhaugulpore Regiment.

We got the trees and forests with the hills and all their profits. No Jagheers existed before Mr. Poulet's time, and all are registered by him.

Ambar.—It was long ago, in Mr. Cleveland's time, that the hills were made over to us. They were given to us to keep a kind of police-watch over everything and report occurrences.

Mr. Cleveland came and settled the position, giving us the hills to live on and their produce, and whatever we could cultivate on them.

The trees were always ours, given us with the hills; Mr. Poulet always acknowledged our right. From the summit of the hill to each hill-foot is ours, and where a plough could be used below was Sonthaldom. Whoever is Manjee of the hill gets what he can for the trees; whoever wants them has to pay something, but it's very little we get that way.

Mr. Cleveland came and arranged our future position, and formed the Bhaugulpore Regiment; we have no right to anything beyond the hills themselves; the trees were always considered ours, and we sold them to any who would purchase.

Mr. Poulet always allowed our right to the forest, and it has never been called in question.

EXTRACT from a Letter from Mr. Deputy Commissioner Robinson (No. 151), dated 26 March 1860.

THE Pahareeas look on the timber, large or small, on the hills as their own property, and have from time immemorial demanded and obtained payment from timber-cutters.

EXTRACT from a Letter from the Assistant Commissioner, *Doomka* (No. 179), dated 30 April 1860.

THE Pahareeas of my division are Mal Pahareeas, and of quite a different race to the Pahareeas of the northern portions of the Damun: they claim to be the aboriginal inhabitants, and state that the ancestors of present paid Pahareeas stood in the light of owners of

the soil to the then people, who paid them, for each village, a yearly tribute of one rupee in cash, one kid, and one seer of honey; and that when the British Government resumed the valleys and plains, they were ordered to take possession of and cultivate the hills, and make what they could out of them in the way of bunkur, &c.

EXTRACT from a Letter from Mr. Deputy Commissioner *Wood* (No. 58) dated 1 August 1860.

Para. 5. The Pahareeas no doubt consider the hills as their private hereditary property; they buy and sell them as if they were their own, and I am not aware that their alleged right to them has ever been called in question by the officers of Government.

7. I am informed by Bhuggobutee Churn Lullah, Mr. Poulet's late head almah, that Mr. Poulet in no way interfered with the Pahareeas in their occupancy of, or alleged right to, the hills cultivated or owned by them; and when Mr. Poulet farmed out the Bunkur Mehals of the Sonthalee portion of the Damun-i-Koh, the individuals leasing such mehals used to make their own private arrangements with the Pahareeas who claimed the hills adjoining the Sonthalee jungle-lands, so that there should be no clashing of interests between themselves and any parties who might wish to take the bunkur of the hills from the Pahareeas.

TRANSLATION OF No. 8.

PROCEEDINGS of the Court of the Superintendent of Damun-i-Koh, Zillah Bhaugulpore; dated Camp Chandna, Thannah Kurhurria, 6 March 1840.

GUNDAY SIRDAR, of Mouzah Buchanora, this day represents that Jeetoo Roy Ghatwal, who is mustager of the Bunkur Mehal of Thannah Kurhurria, collects the bunkur rents of the hills of his (the Sirdar's) elaka, and that last year a sum of 15 rupees was collected by the Naib Suzawal, of Thannah Rajmehal Coheston, on account of the following mehals:—

Jogee Mudna, Paharpore, Heemra Pather, Pergehdeep, Soosirna Chummoo Panee, Burkutta, Burgo Keraged Danga. Receipt of which sum he files.

On ascertaining from Kunhya Lall, Naib Suzawal of Thannah Kurhurria, and the records of the Serishtah, it appears that the said sum was improperly levied from the Sirdar; these mehals having very little bunkur in them, and Government having nothing to do with it.

It is ordered that the collections of this year, which are with Persadee Pergunite, be made over to the Sirdar in my presence. The Mustager warned to have nothing to do with the bunkur on the hills and its collections in future. The Sirdar is ordered to appropriate to his own use whatever he collects, and not to pay anything to Government.

(signed) *J. Poulet*,
Superintendent, Damun-i-Koh.

TRANSLATION OF No. 9.

PURWANNA to the Mohurrir of Thannah Rajmehal; dated 28 February 1841.

GUNDAY SIRDAR, of Buchanora, having represented to me that Chumroo Pergunite, Munbodee Roy, Pershadee Pergunite, and others, are in the habit of cutting away bamboo, &c. from his hills, you are therefore ordered to see that the said Chumroo and others do not forcibly cut away the bamboo, &c., of the Sirdar's elaka. If against my orders they cut and take away, you are to investigate the matter and report to me.

(signed) *J. Poulet*,
Superintendent, Damun-i-Koh.

HOOKOOMNAMAH to Lukhun Sirdar, Pahareea of Bukwa Hills, Tuppeh Murpoul, Thannah Doomka, Zillah Bhaugulpore; dated 23 March 1844.

As the Board consider it proper to make provision for the Pahareeas, and as you are the chief of them, the claim of Government to the bunkur, &c., in the hills of your elaka was relinquished last year: agreeably to a perwannah from this court, you are hereby ordered to enjoy the profits of the bunkur on the hills without paying any rent. No Government servant, high or low, will disturb your possession. The Mustagers also will, on seeing this document, abstain from interfering with the bunkur, &c., on the hills in your elaka.

(signed) *J. Poulet*,
Superintendent, Damun-i-Koh.

(No. 1214.)

Home Department.—Revenue.

(No. 3.)

From *W. Grey*, Esq., Secretary to the Government of India, to *E. H. Lushington*, Esq., Secretary to the Government of Bengal.

Sir,

Fort William, 6 March 1862.

I AM directed to acknowledge the receipt of your letter, No. 78 A, dated the 27th January, submitting a reference from Mr. Money, the Officiating Commissioner of the Sonthal Pergunnahs, as to what parts of the Damun-i-Koh* are to be considered as waste lands, available for sale under the Government Resolution regarding the sale of waste lands.

2. The Lieutenant Governor expresses the following opinions as to the different descriptions of land involved in this reference :—

1st. That lands which have been leased to, and are in the occupation of, Sonthals, whether such lands be cultivated or in pasture, cannot be sold as waste lands, because neither are the lands waste, nor has Government the sole property in them.

2d. That the hills on which the Paharees live, or which they cultivate, cannot be sold under the Resolution.

3d. As to the uninhabited hills, that if these are granted in order that they may be reclaimed and cultivated, the grants cannot be made under the new rules, but only in accordance with some special arrangement with the Hill-men.

3. Assuming that the whole of the lands of the Damun-i-Koh are included in one or other of these three definitions, the Governor General in Council thinks it is clear that so much of the Resolution of the 17th October 1861, as has reference to the sale of unassessed waste lands, in which no rights of proprietorship or of exclusive occupancy are known to exist at present, or to have existed, and to be capable of revival, is not applicable to the Damun-i-Koh.

4. The claim of the Hill-men to the occupancy of the uninhabited hills, in which they derive an income from the jungle produce, and which they may at any time bring into cultivation, is too substantial a claim, and one which has been too distinctly recognised by the Government to be set aside in favour of new purchasers. To this class of cases the provisions of paragraph 34 of the Resolution apply, but it is of course open to the Hill-men to transfer their rights of occupancy in a given tract, by private agreement, to any person who may wish to acquire them, and such transfer would carry with it the privilege of purchasing the tract as waste lands.

5. If, however, there be any portion of the tract known as the Damun-i-Koh which is not included in any of the above definitions, being unassessed waste lands belonging to Government, to which there is no prior claim of occupancy, the Governor General in Council sees no reason why such lands should not be disposed of under the rules.

I have, &c.
(signed) *W. Grey*,
Secretary to the Government of India.

* Mr. Money describes this tract as consisting "of the chain of hills called the Rajmahal Hills, of the valleys between these hills, and of a portion of the low ground at the outer foot of these hills, divided from the adjacent plain by a chain of pillars, and to which the term 'Damun' more especially applies."

— No. 16. —

EXTRACT India Revenue Proceedings, March 1862.

(No. 15.)

From *J. W. B. Money*, Esq., to *W. Grey*, Esq., Secretary to the Government of India, dated 25 January 1862.

As a grantee of waste lands in the North Western Provinces, I have the honour to request that you will submit to his Excellency in Council the following appeal from the rules relative to the sale of waste lands, by the Honourable the Lieutenant Governor of the North Western Provinces, published in the "Gazette" of the 25th December 1861; which rules much curtail the advantages promised by his Excellency's Resolution, No. 3264, dated the 17th October 1861.

2. Paragraphs 33 and 50 of that Resolution authorise existing holders of grants, under the late N. W. P. Rules, to commute their grants under the new rules, at 20 years' purchase of the highest rent fixed for any year during the currency of the grant, provided it does not exceed the rates in paragraph 29 of the same Resolution.

3. Paragraph 29 fixes the utmost price at 2½ rupees per acre for uncleared land, and at 5 rupees per acre for land unencumbered with jungle, subject to deduction for swamps or unculturable land—such rates to remain in force for five years, from 1st January 1862.

4. The principle understood to be conceded by this clause of his Excellency's Resolution, was that of paying less for land which would cause the cultivator expense in clearing, and more for land which did not call for any such outlay.

5. Paragraph 37 declares that the new tenure will be that of an heritable and transferable property held in perpetuity, free from all claims, either of the Government or third persons, prior to or inconsistent with the grant.

6. The Lieutenant Governor's Minute is opposed to these provisions.

7. Section 23 of his Minute curtails the permission to commute to a period of six months.

8. Section 21 applies the higher purchase rate to the land which has already caused the grantee great expense in clearing it, as well as to the land which he received from Government unencumbered with jungle. It also puts a grantee, who has cleared energetically, in a worse position than one who has not cleared at all.

9. And the 6th condition attached to the Form of Grant B, given in the said Minute, maintains in third persons claims prior to and inconsistent with the grant of an heritable and transferable property, held in perpetuity, free from all claims.

10. I humbly venture to submit that such rules are variations of his Excellency's Resolution beyond the power of the Local Government, that they are not called for by public policy, and that they will work injury and injustice to existing grantees.

11. My case is an illustration of this assertion.

In the autumn of 1860 my brother (Lieutenant Colonel Money) and I took grants of a considerable tract of land in Kumaon for tea cultivation, under the then Grant Rules, which required of us no payment to Government for five years.

At the time of our taking the grant it only contained a small portion of land unencumbered with jungle.

12. Within the first 12 months we laid out upwards of 40,000 rupees in clearing the grant, in buildings, in tea cultivation, and otherwise generally in performance of the conditions and objects under which the land was granted to us.

13. This

13. This has resulted in clearing upwards of a thousand acres of our grant, for which, under the Lieutenant Governor's application of his Excellency's Resolution, we must now pay double the purchase-money which we should have had to pay if we had neglected and left our grant uncleared, and twice as much per acre as our less energetic neighbours will have to pay for most of their grants.

14. The Lieutenant Governor's limitation of the right to commute to six months is also injurious to us.

15. My brother and I propose to lay out one lakh of rupees in making our grant pay. This with tea requires five years, and after our large outlay of over 40,000 rupees in the first 12 months, the remaining 60,000 rupees will all be required for the proper maintenance and extension of the tea cultivation during the remaining four years, before we can obtain any return.

16. The fact of not having to divert any of our funds from the cultivation was, of course, one of our inducements under the former Grant Rules, and we relied on the returns at the end of the five years to meet the then commencing claims of Government.

17. We shall be deprived of this advantage, which was further sanctioned and confirmed by his Excellency's Resolution, if the Lieutenant Governor's limitation of six months be made imperative as the period within which we must either commute or lose the right to do so.

18. We shall in that case either have to surrender the benefit of purchasing our grant in fee-simple, or have to divert a considerable portion of our available funds from the profitable cultivation of the grant to the needlessly speedy attainment of that benefit.

19. The 6th condition annexed to the Form of Grant B, given in the Lieutenant Governor's Minute, is of still more evil consequence. It opens the door to the creation of conflicting rights with ours in the same soil, to constant encroachment on our property, and tends to interfere materially with our cultivation. It allows and authorises trespass upon our land by any persons pretending to have been accustomed to use or consume the spontaneous products of the soil; and, though it forbids trespass upon or other injury to the cultivated portion of the land, such prohibition will of course be nugatory if we are obliged to submit to claims for pasturage or timber, merely supported by custom or occasional use, without any lawful or recognised existence.

20. Our grant is part of a waste high land, surrounded by cultivated vallies, whose inhabitants used occasionally to pasture their cattle and cut timber over the whole of the waste, but who, before the land was granted to us, were officially decided to have no legal or authorised claim, by custom or otherwise, to the exercise of any such right on our grant.

21. If, however, the Lieutenant Governor's Minute in this respect be maintained, such claims on their part will receive an official recognition, and will probably then be enforced in a manner which will oblige us to fence in every portion of our cultivation, will deprive our grant of much of its convenience and value, and will lead us into collision with the neighbouring peasantry, and thus affect our supply of labour.

22. These are consequences, but for assured immunity from which we would neither have taken the grant, nor expended upon it the large outlay which we have incurred.

23. I beg humbly to submit that, on all these grounds, the Lieutenant Governor's Rules cause us injury, against which we have no other remedy than by this appeal to his Excellency in Council.

(No. 16.)

From *W. F. Fergusson*, Esq., Secretary to the Landholders' and Commercial Association, to *W. Grey*, Esq., Secretary to the Government of India; dated Calcutta, 31 January 1862.

I AM directed by the Committee of the Association to beg that you will submit to his Excellency the Governor General in Council the following remarks on the subject of the rules for the disposal of waste lands which have been published by the Government of the North Western Provinces and of Oude.

2. The Committee have to express their entire satisfaction with the spirit and tenor of the Resolution of 17th October, but they regret to observe in the orders of the Local Government carrying them out a tendency to circumscribe the benefits, and that some of the rules proposed, especially those proposed by the Government of the North Western Provinces, will interfere with the beneficial results of this large and comprehensive measure.

3. The Committee would call attention to the difference in the areas purchaseable in the two provinces under their respective rules, section 4 of the Oude rules fixing 5,000 acres as the maximum, while the North Western rules limit the area to 3,000, and for tea land to 2,000 acres.

4. The Committee consider that the limitation of 2,000 acres for the grant of tea lands is not judicious or reasonable. Such an extent is not sufficient for a joint stock company or for a large capitalist, considering the quantity that must be reserved for timber, charcoal, and purposes other than the actual cultivation of tea, and from the length of time which must elapse before tea cultivation becomes productive, it is probably only by the employment of a large capital that it can be successfully carried on.

5. The Committee would also call attention to the difference in the rates according to which existing grantees would commute under the Oude rules and under those for the North Western Provinces. In the former, by section 20 the proportion of land to be commuted at 2 rupees 8 annas, and that to be commuted at 5 rupees an acre will depend on the state of the land when the grant was made, and not on the condition it may have been brought to by the grantee, which the Committee submit is the correct interpretation of the principle intended by the 29th paragraph of his Excellency's Resolution.

6. By the 21st section of the North-Western Provinces' rules, the proportions of lands purchaseable at 2 rupees 8 annas, and 5 rupees per acre, will depend on the state of the land as existing at the time at which application is made for redemption.

7. The result is that a grantee of land in the North Western Provinces who has cleared a thousand acres of his grant will have to pay twice as much for that area as a grantee in Oude in the same condition.

8. The Committee also consider that the rule charging 5 rupees on land unencumbered with jungle may act unfairly if in this is included land which has been cleared by native wandering tribes and then given up. Such land is in every way inferior to forest land, is much deteriorated by the process of temporary clearing and cropping referred to, and is more expensive to bring into proper cultivation than even uncut jungle.

9. The provisions as to land required for roads in the 12th section of the Oude rules is in accordance with the 13th paragraph of his Excellency's Resolution, but the provisions on this subject contained in the fourth condition to be attached to the form of grant in the North Western Provinces are opposed to that paragraph. The Committee consider the conditions proposed to be attached to the form of grant in the North Western Provinces to be objectionable in many respects. The fixed contribution for aid for repairing the high roads, and for the sums proposed to be charged on the fee simple purchaser for the salaries of chowkeedars and reporters are burdens in addition to the price fixed on the land by his Excellency's Resolution. Grantees and purchasers will of course be subject to any such contributions which may be fixed by law on proprietors of lands generally, but the Committee consider that such obligations attached as conditions

to

to the grant in the manner proposed by the Lieutenant Governor of the North Western Provinces will interfere with the beneficial tenure of land offered by his Excellency.

10. The Committee still more strongly appeal to his Excellency to prevent the happy working of his Resolution being interfered with by the reservation of other rights in the land sold. The sixth condition attached to the form of grant in the rules for the North Western Provinces contemplates the sale of land with reservations, which the Committee submit is opposed to the wise and just provisions contained in the 34th and 37th paragraphs of his Excellency's Resolution. It proposes to legalize mere customary user to consume the spontaneous products of the soil, thus obliging the fee simple owner to submit to claims for pasturage and timber inconsistent with his necessary absolute control over his property, and leading to the evils of cattle trespass and of conflicting claims in the same soil, the practical operation of which evils has been so lately apparent in the indigo districts. The Committee would submit that the principles of the 34th and 37th paragraphs of his Excellency's Resolution should be made obligatory; that on land where any such user amounts to an exclusive and legal right, the sale should only be made to the owners of such rights; but that on land where such claims are not founded on usage sufficient to constitute an exclusive legal right, the land be sold free from any such claim.

11. The Committee would also submit that any conditions or limitations attached to the form of grant would give rise to questions in future involving uncertainty, as not referable to any fixed standard. If, on the other hand, the form of grant were a simple conveyance of the land mapped thereon to the grantee and his heirs for a freehold estate of inheritance in fee simple, as in the conveyances of the Irish Encumbered Estates' Commission, a well known and recognised legal definition of the purchaser's title would be thereby secured, to which the law attaches specific rights and obligations. This would mark the relations of the owners, of the Government, and of the public, towards each other, and would make any question arising in future easily resolvable by analogy.

12. The Committee would also venture to call his Excellency's attention to the importance of arrangement for keeping clear the title to be given by the Government.

13. With all deference they would suggest that the experience of registration in different countries is in the favour of the English Manor Court's principle, and of that which governs the transfer of consols, both which require public and notorious action in the presence of the authorities charged with the registration. The experience of the Committee as to the uncertainty of land tenures in Bengal, and of the present modes of registration in India, together with the chicanery and litigations consequent thereon, satisfy them that their interests as intending purchasers would be best consulted by a rigid rule that no transfer of such fee-simple estate in India, nor the creation of any interest therein beyond a lease for three years, should have any valid effect except when made in the mode of surrender and re-grant before the local European official by the registered holder in person, or by his agent, expressly authorised for that purpose in the manner required for the transfer of consols by attorney.

14. If every such transfer and creation of estate were forthwith registered with a map index by the European official in person, and if the register were made conclusive evidence (till altered by suit to be brought for that purpose) of all rights in the land, whether of property, possession, or occupancy, the title derived from Government would be kept plain and undoubted, and all rights in the land would be manifest and not easily open either to disturbance or litigation. The Committee believe that the additional value given to estates by this secure title, would tend much to induce native landholders in Bengal to redeem their land tax for the purpose of freeing themselves from the existing insecurity of title, with its consequent liability to attack, the chief protection against which at present by benamée transactions is now made criminal by the Penal Code.

15. The Committee would also call attention to the 23d section of the North Western Provinces' rules, curtailing the time within which grantees must elect

to commute for six months, as being an infringement of the 50th paragraph of his Excellency's Resolution. Most of the tea grants in the North Western Provinces come within the definition in that paragraph "of grants already given for a term of years at progressively increasing rents," and "where there is no right of occupancy other than that of the lessee, or that derived from him."

16. As such, these grants would, under that paragraph and paragraph 29 of his Excellency's Resolution, be commutable at any time within five years from 1st January 1862, at 20 years' purchase, of the highest rate fixed for any year during the currency of the grant, provided it shall not exceed the rate fixed in paragraph 29.

17. The Committee would further beg attention to the very important question of lands reserved by Government for forest. They do not question the expediency or even the necessity of a proper conservancy to prevent waste or destruction of timber; but in the Dhoon, for instance, if all lands producing sâl or other valuable timber were reserved, settlers would virtually be excluded from one of the most suitable and promising fields offered for their enterprise.

18. The Committee would venture to suggest, that Dr. Cleghorn, who is now in those provinces, should be requested to report on those forest lands, and to prepare rules respecting them for the consideration of Government.

19. The Committee believe that it would suit the views of intending settlers, if on forest land Government reserved the right to a certain number of trees of a specified size, at the date of the grant per acre, giving up all others to the grantee; or if the grantee had the option of purchasing all the timber at a separate valuation, to be fixed at the time.

20. In this way, immediate waste would be prevented, all valuable timber would be preserved, either to Government or the grantees, and it would be for the interest of the grantees to encourage the growth of the younger trees, and even to purchase and plant timber seedlings, as likely ultimately to give an advantageous return.

(No. 17.)

From *W. Grey, Esq.*, Secretary to the Government of India, to *Sir George Couper, Bart., c.B.*, Secretary to the Government of the North Western Provinces (No. 1487), dated 11 March 1862.

From *J. W. B. Money, Esquire*, dated the 25th January.
From Secretary to the Landholders' and Commercial Association, dated the 31st idem.

I AM directed to forward, for consideration and report by the Lieutenant Governor, copies of the letters marginally noted, relative to the rules of procedure for the sale of waste lands, published in the "Allahabad Gazette" of the 24th December last, and at the same time to communicate the view which it seems to the Governor General in Council must certainly be taken in regard to some of the questions raised in these communications.

2. In the 15th and 16th paragraphs of the letter from the Secretary to the Landholders' and Commercial Association, and in the 7th paragraph of Mr. Money's letter, reference is made to the 23d section of the rules, in which it is laid down that the permission of a grantee to commute the terms of his grant under the new rules "must be acted on at once," but that "a period of six months may be allowed for the grantee to make his election between the old and new rules." On this point I am desired to observe, that it was the intention of the Governor General in Council that the owners of existing grants should be allowed to commute at any time. The limit placed on the time of commutation in the rule under notice should, therefore, be withdrawn.

3. Paragraph 10 of the communication from the Landowners' Association, and paragraphs 9 and 10 of Mr. Money's letter, refer to the 6th condition entered in the form of Grant B. attached to the rules of procedure. That condition provides "that wherever any persons have been accustomed to use or consume the spontaneous products of the soil, the grantee shall not interfere with them, so long as they do not trespass upon, or otherwise injure the cultivated portion of the land." The Governor General in Council is of opinion that the condition in
question

question is to some extent open to the objection taken to it. If claims to the spontaneous products of the soil are preferred and established before the grant is made, the case should be dealt with under paragraph 34 of the Resolution, the lands being either not granted at all, or, if granted, only to those who possess exclusive rights of occupancy, pasturage, wood cutting, and the like. If such claims are not brought forward at the time of the grant, but are established afterwards, the Government must give compensation under paragraph 19. There may, however, be cases in which by mutual agreement, at the time, between the applicant for a grant and those who claim a right to use the spontaneous products, an hereditary and transferable property in the soil may be given to the former, subject to the exercise of their customary rights by the latter.

4. With reference to the limitation of the areas of grants indicated in paragraph 10 of the rules, to which reference is made in the 3d and 4th paragraph of the communication from the Landowners' and Commercial Association, the Governor General in Council observes that the extent of area ought not to be absolutely limited to 3,000 acres in the plains and 2,000 acres in the hills. This may properly be the ordinary rule, but grantees should be able to obtain larger tracts of country under special circumstances, at the discretion of Government in each case.

5. On the remaining points which are discussed in these letters, orders will be passed on receipt of the Lieutenant Governor's report; but with reference to the fourth condition of the grant, noticed in paragraph 9 of the letter from the Landowners' Association, I am desirous to draw attention to my letter of this date, No. 1376, so far as it relates to the question of allowing commutation of the road cess.

— No. 17. —

EXTRACT India Revenue Proceedings, April 1862.

(No. 5.)

From Colonel *Orfeur Cavenagh*, Governor of Prince of Wales' Island, Singapore and Malacca, to *W. Grey*, Esq., Secretary to the Government of India (No. 191), dated Singapore, 21 October 1861.

WITH reference to the provisions of Section 12 of Act XXVI., of 1861, I have the honour to forward herewith, for submission to his Excellency the Governor General in Council, the draft of a notification relative to the disposal of lands in Malacca, which, should it meet with his Excellency's approbation, I would propose issuing in the "Government Gazette," for general information.

2. In framing these regulations I have kept in view the necessity for their being, as far as practicable, clear and simple, so as to admit of their being fully understood by our Malay and Chinese subjects, yet sufficiently comprehensive to suit the interests both of the wealthy capitalist and the needy cultivator, without, at the same time, relinquishing any of the rights of Government, or indeed causing any very material change in the system under which the revenue is at present realised.

3. Wealthy capitalists will naturally avail themselves of the power of obtaining land in fee simple, and, as through their means a large number of Chinese immigrants will doubtless be introduced into the settlement, it is to the advantage of the State that they should do so, as the loss in the permanent land revenue will be more than counterbalanced by the additions made to the general revenue from other sources.

4. Mere speculators or cultivators with small means will, on the contrary, be perhaps glad to obtain a remission of one-half of the purchase-money on the payment of a quit rent equal to 10 per cent. on the amount, as they will be thereby enabled to take larger grants, and to devote a portion of their capital to the improvement of their lands, whilst they are assured the right of eventually

becoming proprietors on the same terms as originally allowed to their wealthier brethren. My object in postponing the acknowledgment of the right of lessees to become proprietors until the expiration of five years, was partly that of preventing the purchase of land from becoming a gambling speculation, and partly of inducing lessees to devote any superfluous cash of which they might become possessed, to the improvement of their property, instead of applying it to the purchase in fee simple of land, which they might not perhaps subsequently find means for bringing under cultivation; with the latter view I have also retained the clause inserted in all the deeds, issued under the order of Government, No. 520, dated the 12th October 1844, providing for the resumption of land of which a fourth part may not be cleared within a specified period.

5. Although I believe the right of the Crown to a royalty upon all mineral products is acknowledged by law, and is not alienated by the mere sale of the land, I have thought it advisable, to prevent any future misconception on this head, to clearly define the nature of the right that would be enforced.

6. The reservation of the ground along the banks of rivers and canals is, I conceive, necessary to admit of a proper system of drainage and irrigation, being hereafter introduced without entailing any interference with private rights and its attendant expense; an equal necessity exists for reserving land along the line of roads, to insure their being maintained in a proper state of order.

7. With a view to prevent unnecessary delay in making arrangements for the sale of lands after the receipt of the orders of his Excellency in Council, I have already published an order requiring intending purchasers to register their names, and the supposed area of the tract they require, at the Resident Councillor's Office. I have also desired the Resident Councillor to submit, with the least practicable delay, a list of those annuitants who are prepared to accept a commuted allowance under the provisions of Section 2. of the Act; I can at present form no idea as to the probable nature of their demands, but I would respectfully beg to recommend that I may be permitted to enter into an arrangement with all those who may be willing to accept sums equivalent to 12 years' purchase of their annuities, so as to enable them to invest their money in the purchase of land, which probably many would be inclined to do; a fund for the above purpose might be formed from the receipts from the sale of waste lands which might be entered in a separate account, and not under the head of ordinary land revenue.

(No. 6.)

DRAFT OF NOTIFICATION.

UNDER the provisions of Act XXVI. of 1861, and with the sanction of His Excellency the Right Honourable the Governor General of India in Council, the following regulations regarding the disposal of land in the station of Malacca, are published for general information:—

1. All unoccupied and waste lands, the property of Government, required for agricultural purposes, with the exception of such tracts as may be reserved for Government use, or with reference to the nature of the soil or other circumstances, it may be deemed desirable to dispose of by public sale, shall be granted in fee simple to applicants at the fixed rate of \$3 per acre, or, as regards grants of 10 acres and upwards, at the option of the applicants, on lease for 999 years, at the rate of \$1 50 cents per acre, with an annual quit rent of 15 cents per acre; grants of less than 10 acres to be disposed of only in fee simple; payments in both cases to include the prescribed survey fee of one rupee per acre.

2. Parties taking land on lease for 999 years to have the option, after the expiration of five years, of purchasing the land in fee simple on the payment of the additional sum of \$1 50 cents per acre.

3. Cultivators and resident tenants, holding land by prescription, subject only to a payment to Government of one-tenth part of the produce thereof, and cultivators holding land under commutation deeds to be empowered to claim their lands upon the same terms as offered to intending purchasers of waste lands in the two preceding paragraphs.

4. Deeds of sale in perpetuity, or of lease for 999 years, to contain a provision for the resumption of the land in the event of one-fourth not being cleared and brought under cultivation within 10 years of the date of execution of the deed.

5. No permit to be granted under Section 5 of Act XVI. of 1839, except on payment of one-half of the Government demand for the land thereby permitted to be cleared and occupied, the remaining moiety to be paid within one month of the completion of the survey.

In

In the case of land taken on lease, the payment of the rent to commence from first of the month following the receipt of the cutting paper.

6. The rights of the Crown under the head of royalty not to be affected by the transfer of land under the foregoing regulations, such rights to continue as at present to be fixed at one-tenth of all mineral products.

7. A space of 60 feet measured from high-water mark to be reserved along the sea coast, of 20 feet on each bank, along the course of all existing rivers and canals, and of 20 feet on each side along the line of all existing roads.

8. The above rules to continue in force until further orders.

THIS Indenture, made the _____ day of _____ in the year of Christ 18____, between the Right Honourable the Secretary of State for India in Council on behalf of Her Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors of the first part and _____ of _____ of the second part, witnesseth that the said Secretary of State for India in Council for and in consideration of _____ dollars which have been paid to the Resident Councillor of Malacca by the said _____, do, in pursuance of Act No. IX. of 1842, and also independently of that Act, grant, bargain, sell and release unto the said _____, his executors, administrators and assigns, all that piece of land situated in the district of _____, in _____ aforesaid, being marked No. _____ in the Government Map of such district, and whereof the lines of boundary and their bearings are laid down in the plan endorsed hereon, certified under the hand of the Surveyor to Government, estimated to contain _____, together with the appurtenances, to have and to hold the same unto the said _____, his executors, administrators and assigns for ever, subject nevertheless to the proviso herein-after contained, that is to say, provided always, and these are upon this condition that the said _____, his executors, administrators and assigns, do and shall, within the period of 10 years from the date hereof, clear and cultivate one-fourth part at least of the said land, and that if he or they shall fail so to do these presents on the expiration of the said period shall be void, and it shall then and henceforth be lawful to and for the Right Honourable the Secretary of State for India in Council on behalf of the Crown to enter into the said piece of land, and the same to have, hold, and enjoy again, as in their former estate, and in the same manner to all intents and purposes as if these presents had not been executed. In witness whereof the Resident Councillor of Malacca, by authority of the Governor General of India in Council has affixed the Common Seal of his Office, and subscribed his signature, and the said _____ has signed his name and affixed his seal hereto the day and year aforesaid.

Know all men by these presents, that I _____ Resident Councillor of Malacca, acting for and on behalf of the Right Honourable the Secretary of State for India in Council for and in consideration of the sum of _____ Spanish dollars received and the further sum of _____ dollars as quit rent to be paid annually by half yearly instalments during the term of nine hundred and ninety-nine years by _____ representatives, executors, administrators and assigns, have demised, leased, set, and to farm let, unto the said _____ representatives, executors, administrators and assigns, all that piece or parcel of land situated in the district _____ in Malacca aforesaid, bounded on the east by _____, on the west by _____, on the north by _____, on the south by _____, and described in the annexed plan containing _____ together with all and singular the trees, woods, underwoods, ways, paths, passages, waters, water courses, profits, commodities, advantages and appurtenances whatsoever not being public roads or water courses to the said piece or parcel of land belonging or in any wise appertaining or therewith used. To have and to hold the same unto the said _____ representatives, executors, administrators and assigns, from the day of the date of these presents for and during and unto the full end and terms of nine hundred and ninety-nine years.

In witness whereof, I the said _____ Resident Councillor, as aforesaid and acting for and on behalf of the Right Honourable the Secretary of State for India as aforesaid, have subscribed my hand, and caused the Common Seal of my Office to be affixed to these presents, on the _____ day of _____ in the year of our Lord, one thousand eight hundred and _____

Signed, sealed, and delivered
(where no stamps are in use or
to be had) in the presence of

Resident Councillor.

UNDER the provisions of Section 5, Act XVI. of 1839
 permission to clear and occupy unoccupied ground at
 be procurable, and at the disposal of Government. He the said
 is required, as soon as practicable, or within six months from this date,
 to mark off the said land so occupied by him by good and substantial land marks, for the
 purpose of enabling the necessary survey to be made, no survey of such lands will be
 acknowledged, except that furnished from the Government Surveyor's Office. He the said
 hereby binds himself, his heirs, successors and assigns to
 accept of the said land, on the terms prescribed in the Government Notification No. ,
 dated

Dated at Malacca this day of 186 .

Signed, sealed, and delivered
 in the presence of

Resident Councillor.

(No. 7.)

From *A. M. Monteath*, Esq., Under Secretary to the Government of India,
 to Colonel *Orfeur Cavenagh*, Governor of the Straits' Settlements (No. 1832),
 dated 8 April 1862.

I AM directed to acknowledge the receipt of your Letter, No. 191, dated the
 21st of October, and in reply to inform you that his Excellency the Governor
 General in Council is pleased to approve of the Draft Notification of Rules
 therewith submitted, relative to the disposal of lands in Malacca, and authorises
 you to issue the same in the "Government Gazette" for general information.

— No. 18. —

EXTRACT India Revenue Proceedings, June 1862.

(No. 9.)

From *J. D. Sim*, Esq., Secretary to the Government of Fort St. George, to
E. C. Bayley, Esq., Secretary to the Government of India (No. 1155),
 dated 24 May 1862.

* Dated 25th
 March, No. 67, in
 Proceedings Board
 of Revenue, dated
 10th April 1862,
 No. 2377.

† Resolution of the
 Government of
 India, dated 17th
 October 1861,
 No. 3264.

‡ Letter to Govern-
 ment of India,
 dated 25th Feb.
 1862, No. 395.

I AM directed to forward, for the consideration of the Government of India,
 the accompanying letter* from the Collector of Coimbatore, pointing out that
 the rates proposed for waste land sold under the new rules† are quite unsuited
 to that district, and especially to the Neilgherries. The collector submits that
 their adoption will cause a needless sacrifice of revenue, and suggests that they
 should be raised, and that sales by public auction should be resorted to in
 every case, as the fairest course for both Government and the applicants for
 land.

2. The Government have already advocated‡ the measures proposed by the
 Collector, and they instruct me to forward this letter in order that the Supreme
 Government may be acquainted with the views of an officer who has had length-
 ened experience of the district in which most land is likely to be sold under the
 new rules. It will be seen from the letter that the price of Government land in
 the plains of Coimbatore has averaged 106 rupees per cawny, subject to payment
 of the full annual assessment year by year, and that on the Neilgherry Hills
 an acre of forest within 10 miles of Ootacamund is worth 1,000 rupees for fuel
 alone.

(No. 10.)

From *E. B. Thomas*, Esq., Collector of Coimbatore, to *W. Hudleston*, Esq., Secretary to
 the Board of Revenue, Madras (No. 67), dated Ootacamund, 25 March 1862.

I BEG to acknowledge receipt of proceedings of Madras Government, dated 27th February,
 No. 433, regarding the sale of Government waste, &c.

2. I have, in obedience to the orders therein contained, carried out the preliminary steps
 directed in registering the various applications, writing to the present acting conservator of
 forests

forests for his opinion as to what tracts should be reserved, and giving my own view thereon. I have also, in letter dated 20th instant, No. 62, asked the Board's orders on a few points which seemed necessary.

3. Having taken all preliminary steps ordered, I beg to be permitted to point out where, I fear, Government will find these Bengal rules not quite applicable to this* district, and especially to the Neilgherries. They probably were framed with reference to large, unhealthy, * And perhaps others. jungly districts of Bengal, which it was desirable to clear at any rates, and should be modified to suit the condition and facts of other localities here.

4. For the valuable principle of "sale of waste" and "redemption of the land-tax," I have been (as the Board are aware, and will do me the justice to testify) long contending; and have sold waste in Coimbatore, and realised for Government about 18,680 rupees in the last two years alone—selling only the right of present occupation, the purchasers paying annually full land-tax from the date of purchase.

5. What I regret is the very low and unsuitable rates, as applied to the Neilgherries and many other localities, involving such a needless sacrifice of Government revenue and resource; for some of our jungle districts the rules may be, no doubt, suitable, but not so here.

6. The rates should have been at least reversed—2½ rupees for open, and five for forest land, the latter being far the more valuable; an acre of forest on the Neilgherries, *ex gr.*, would certainly be worth for fuel alone, if within ten miles of Ootacumund, 1,000 rupees for the wood only; and this Government propose to give (I am compelled to say throw) away for 2½ rupees, land and all.

7. As regards open land, in the plains of Coimbatore, all I have lately sold has averaged 106 rupees per cawny,† the competition (auction) price alone, the land not going in fee-simple, but paying future full tax in perpetuity without diminishing the annual resources of the State; this land Government now are going to give away at five rupees and the rental with it.

† In one instance one cawny of land, near a town, sold for 800 rupees.

8. The Bengal rates, as applied here, are very much too low; and in conceding so valuable and desirable a point as the "fee-simple," the rates might fairly have been much more adequate to the value of the boon given. I write on facts, not theory; and I deem it my duty to set such facts before Government. The very low rates are a temptation and premium to much land-jobbing; buying up to re-sell at leisure at a monopoly price not leading to early and beneficial investment of capital and enterprise in agriculture.

9. The only partial remedy for this great and needless sacrifice of Government resources is free and public auction in every case: if any competition, Government benefits; if none, the applicant is in no way injured, nor his price enhanced. In many instances bidders appear at the last moment, who will not declare before. Abkarree and other Government property all go by auction; it is still more important that this more valuable commodity, land, should do the same. The boon is a great and lasting one to the capitalist and settler. No one can appreciate its value more than I do, who have long advocated it; but in sacrificing its rental in perpetuity, Government might fairly have derived much more present advantage from it.

10. I beg to refer to my letters noted in the margin.‡ If land, paying yearly full tax in its class, will sell freely for 106 rupees per cawny, it is surely unwise and needless to give it for 2½ in fee-simple; while the principle was adopted, inquiry should have been made, and the Bengal rates raised to suit circumstances and localities here.

If Government can afford such a sacrifice, it is a happy and fortunate circumstance for all parties, especially the purchasers. I request the favour of these facts being submitted to Government.

‡ To Government, dated 3d April 1860, No. 9. To Board of Revenue, dated 12th July 1861, No. 154.

ORDERED to be submitted to Government as requested.

2. The Board consider that Mr. Thomas takes too narrow a view of the subject, and loses sight of the fact that jungle, when necessary, can be reserved, and that jungle, in positions where a market is not readily available, involves much more expense to the grantee in bringing into cultivation.

(No. 11.)

From E. C. Bayley, Esq., Secretary to the Government of India, to J. D. Sim, Esq., Secretary to the Government of Fort St. George (No. 3053), dated 20 June 1862.

I AM directed to acknowledge the receipt of your letter (No. 1155), dated 24th ultimo, submitting a communication from the Collector of Coimbatore, pointing out that the rates proposed for waste land sold under the Resolution of this Government, dated the 17th of October last, are quite unsuited to that district, and particularly to the Neilgherries.

2. In reply, I am desired to state that his Excellency the Governor General in Council hopes to be able shortly to communicate orders on the draft rules submitted with your letter, No. 395, dated the 25th of February. Meanwhile it seems to his Excellency in Council that paragraphs 23 and 24 of the Resolution of October last, as also the provision in paragraph 30 regarding sales by auction, will enable the Government of Fort St. George to prevent any undue sacrifice of the public interests in respect of the particular lands referred to by Mr. Thomas.

— No. 19. —

EXTRACT India Revenue Proceedings, August 1862.

(No. 11.)

From Messrs. *Mair & Company*, Secretaries Dooteria Estate and Tea Company "Limited," and Tukvar Tea Company "Limited," to *W. Grey*, Esq., Secretary to the Government of India; dated 14 April 1862.

WE have the honour of transmitting herewith a petition to his Excellency the Governor General, signed by the Directors of the various Tea Companies in Calcutta holding land at Darjeeling, and praying that they may be allowed to commute their holdings under the rules of the Government of India, dated 17th October 1861. We beg you will lay this petition before the Governor General in Council.

(No. 12.)

To the Right Honourable the Earl of *Elgin and Kincardine*, K. T., G. C. B.,
Viceroy and Governor General of India in Council.

The Humble Petition of the undersigned Directors of Tea Companies holding grants in the District of Darjeeling,

HUMBLY SHEWETH,—That your petitioners, being holders of grants of land in Darjeeling, hailed with feeling of great satisfaction the publication of the recent Resolutions of the Government of India regarding the sale of waste lands.

2. Your petitioners were led to believe that paragraph 33 of those Resolutions had particular reference to them, and that, as holders of grants under the old Darjeeling rules, they would be allowed to commute them under the new rules, and in this belief applications have been submitted from the landholders of Darjeeling generally to the local authorities, for permission to avail themselves of the terms in question.

3. Your petitioners have, however, observed with regret, in the published correspondence respecting these rules that has taken place between the Secretary of the Landholders' and Commercial Association and the Secretary to the Government of India, that commutation under the terms of the Resolution is stated to be impracticable for the holders of grants under the Darjeeling rules, because the land was sold absolutely at the upset price of 10 rupees per acre.

4. This decision is likely to have so injurious an effect upon the interests of your petitioners, and it appears to them to be so contrary to the liberal and enlightened spirit that dictated the recent Resolution, that they would earnestly pray that the question may be reconsidered, and that the holders of grants under the old may be permitted to commute them under the new rules.

5. Your petitioners would beg permission to state that they believed the terms of paragraph 33 to be particularly applicable to Darjeeling, because, as far as they are aware, it is the only place within this Presidency where holders of grants, before the promulgation of the new rules, could, in the words of the Resolution, have completed the purchase of their grants. The Secretary of the Landholders' and Commercial Association, in his letter to the Secretary to Government, omitted the words "who has not yet completed the purchase of his grant," and
your

your petitioners believe those words to have an important bearing on the question.

6. Your petitioners ask for no refund where more than the price fixed in paragraph 29 has been paid in under the old rules; but they pray that, where the amount of the instalments paid has been less, they may be allowed the benefit of it.

7. Your petitioners would further respectfully urge, that the decision of which they complain will depreciate the value of property acquired under the action of the old rules. The holders of grants under those rules are chiefly the men who have led the enterprise that has given to Darjeeling its present importance in a commercial point of view. They have had to incur all the risks and difficulties of the first introduction of tea cultivation, and they now feel that they will be heavily taxed if they are required to pay twice and four times as much (for cleared and uncleared lands respectively) as will have to be paid, under the new rules, for neighbouring lands within this district, granted with more extensive rights and with fewer reservations. That this is the case will be readily perceived upon a comparison of paragraphs 12 and 13 of the Resolution with sections 7 and 8 of the old rules, and paragraph 28 of the Resolution with section 6 of the rules.

8. The anxious desire of the Government of India to encourage enterprise is so clearly apparent throughout the Resolution regarding the sale of waste lands, that your petitioners cannot but feel confident that, after a reconsideration of the claims they have urged, their prayer will meet with a favourable result.

And your petitioners, as in duty bound, will ever pray, &c.

NAME OF THE COMPANY.	NAMES OF DIRECTORS.
Tukvar Tea Company "Limited"	- { <i>T. E. Judge.</i> <i>J. Mackintosh, Jun.</i> <i>A. M. Dowleams.</i>
The Dooteriah Estate and Tea Company "Limited" - - - - -	{ <i>T. E. Judge.</i> <i>R. Doyne.</i> <i>W. Matland.</i> <i>J. H. Fergusson.</i>
Hope Town Tea Association "Limited"	{ <i>W. Anderson.</i> <i>J. M. Robinson.</i> <i>H. E. Braddon.</i> <i>A. H. Blechynden.</i>
Balasun Tea Company "Limited"	- { <i>A. W. Wilson.</i> <i>T. E. Carter.</i> <i>H. E. Braddon.</i> <i>N. S. Sweedland.</i> <i>A. H. Blechynden.</i>
Kursiong and Darjeeling Tea and Coffee Company "Limited" - - - - -	{ <i>G. W. Bracken.</i> <i>T. R. Safe.</i>
Darjeeling Tea Company "Limited"	- <i>Begg, Dunlop & Co., Agents.</i>

Calcutta, 14 March 1862.

(No. 13.)

From *E. C. Bayley*, Esq., Secretary to the Government of India, to Messrs. *Mair & Company*, Secretaries Dooteriah Estate and Tea Company "Limited," and Tukvar Tea Company "Limited" (No. 4492., dated 25 August 1862.

I AM directed to acknowledge the receipt of your letter dated the 14th of April, enclosing a petition of the Directors of the various Tea Companies in Calcutta holding land in Darjeeling, praying that they may be allowed to commute their holdings under the Resolution of this Government bearing date the 17th of October 1861.

2. In reply, I am directed by the Governor General in Council to refer the petitioners to paragraphs 9, 10, and 11 of the letter dated the 15th instant to the

Local Governments, published in the "Calcutta Gazette" of the 16th instant pp. 2898, 2899.

— No. 20. —

EXTRACT India Revenue Proceedings, September 1862.
(No. 5.)

From *W. Grey*, Esq., Secretary to the Government of India,
To Secretary to the Government of Madras, No. 5, }
To Secretary to the Government of Bombay, No. 6, } Dated 2 January
To Secretary to the Government of Bengal, No. 7, } 1862.

I AM directed to request that a copy of the rules under which it is proposed to give practical effect in the

Madras Bombay Lower Provinces	}	Presidencies
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 to the provisions for the disposal of waste lands contained in the Resolution of the Governor General in Council, dated the 17th of October, may be furnished for the information of his Excellency in Council.

2. I am also desired to ask attention to the second paragraph of my letter of the 19th October, and to say that the Governor General in Council will be glad to receive the draft law therein referred to, if possible, before the expiration of the present month.

(No. 6.)

From *E. H. Lushington*, Esq., Secretary to the Government of Bengal, to
E. C. Bayley, Esq., Secretary to the Government of India (No. 47A.), dated 16 January 1862.

WITH reference to the Under Secretary's letter, No. 1924, dated 19th October last, and your No. 7, dated 2d instant, I am directed to forward, for the consideration and orders of his Excellency the Governor General in Council, the accompanying copies of two letters from the Board of Revenue, Nos. 914 and 917, dated the 27th and 28th ultimo, submitting a draft of rules of procedure for the sale of waste lands in perpetuity, and for the redemption of the land revenue, with the alterations proposed by the Lieutenant Governor in the Board's draft, and the following remarks:—

2. The Lieutenant Governor thinks the provision in paragraph 2, about registers, better be omitted from the rules, where it will have the appearance of delaying the immediate operation of the rules, though not intended by the Board to have that effect. It is not a rule that concerns purchasers at present; and the registers may be ordered by the Board, in a separate circular order, to be prepared, and when prepared the fact can be notified.

This will fully effect the Board's object, which is a good one.

3. As regards paragraph 3 of the Board's letter, No. 914, I am to ask the decision of his Excellency the Governor General in Council on the two points on which the members differ as to what the intention of the Government of India was—viz., first, whether one grantee can have any number of grants under these rules in one district, provided that the aggregate extent of such grants does not exceed the fixed limit, say 3,000 acres; and, second, whether one grantee can have in one district any number of grants, no matter what their aggregate extent may be, provided he has no one grant of greater extent than the fixed limit, say 3,000 acres. The wording of the Resolution merely restricts each grant to a maximum extent, say, of 3,000 acres. It does not prohibit one person from having more than one grant, whether the first grant he has be more or less than the limited extent. The rules, as prepared by the Board, follow the Resolution of the Government of India in this respect, and would offer no impediment to one person purchasing 300,000 acres in one district under 100 separate applications. But, with the majority of the Board, the Lieutenant Governor

Governor doubts whether this was the intention of the Government of India. The argument of the Resolution for requiring no condition to cultivate the wasteland granted seems to show that this was not the intention. If it was not, a new rule must be substituted for this one, so framed as to carry out the actual intention.

4. The Lieutenant Governor's own opinion is, that as it would be quite impossible to prevent any one person obtaining as many grants as he pleases by applications in the names of other persons (a fact which the Board treat as unquestionable), no attempt to restrict one purchaser to an aggregate purchase of not more than 3,000 acres, or of any limited extent whatsoever, should be made. If it be the intention to impose no restriction, the Lieutenant Governor thinks that words should be added, clearly notifying that such is the intention and the effect of the scheme. Whatever is the intention, it is advisable that it should be made plain. If the intention be to restrict the quantity of land to be granted in the aggregate to one person, it should be observed that the rules on this point are futile, as the intention cannot be enforced under them. Indeed, the Lieutenant Governor cannot imagine any rules that would effectually secure the carrying out of such an intention.

5. The fixing a maximum extent for each lot, without limiting the aggregate quantity of land to be taken by one person, would be very useful, as preventing one great capitalist from absorbing, in one transaction, so vast an extent of country that no small capitalist, wishing for a moderate portion thereof, could compete with him, even though it would not prevent one large capitalist from obtaining any quantity of land he can pay for, if he bids more for it, lot by lot, than any other person.

6. On the extent of limit proposed, viz. 3,000 acres, with a right of reserving 3,000 more next to the first lot, that seems to the Lieutenant Governor sufficient, except in the case of a large company, for land required for tea, coffee, date, cocoanut, or other plantations, requiring an interval of several years, and the outlay of a considerable sum on every acre cultivated, before returns can be expected. But it does not appear to the Lieutenant Governor to be nearly sufficient for land required for rice, or cotton, or other ordinary crops, such as Soonderbuns or Teraiee Jungle, where the outlay on each acre may not be a tenth of the outlay in the other case, and the returns, though more rapid, must be small in proportion. In all these cases success depends on good management, and good management requires the owner to devote himself to the work, or at least to employ good and costly agency. Now, 3,000 or 6,000 acres in the Soonderbuns would not be an inducement for a large capitalist to devote his life to them, or to pay a competent agent to devote himself to them. If no limit is fixed to the number of lots one purchaser may obtain, this difficulty will be avoided.

7. The rule barring private rights, as wherever it acts at all it will act to defeat existing rights in private property, has been struck out, as such a rule could be of no force or effect, whilst it would pretend to have force and effect. Such a provision evidently requires a law, and not being yet enacted by law, its appearance in a formal set of rules would seem improper. When this provision is enacted by law, no rule will be necessary on the point, though it may properly be noted in editions of the rules subsequently enacted. The Lieutenant Governor omits the last lines of the Board's Rule XII. for the same reason.

8. A sentence in Board's Rule XIV. is omitted, because that too is matter of legislation. Grants will be subject to the rules under which they were made; but that will not make personal property, happening to be now or hereafter upon the land granted, subject to such rules.

9. The attention of his Excellency the Governor General in Council is requested to the Board's draft Rule XXI., and to the Lieutenant Governor's alteration.

10. The Board appear to the Lieutenant Governor to have framed their rule in accordance with what may be one interpretation of the words of the Resolution of the Government of India, paragraph 50; but the Lieutenant Governor has

altered the rule, because he understands the real meaning of the Resolution in paragraph 50 to be very different from what the Board understand it to be.

11. Paragraph 50 of the Resolution in question uses the term "rate," where that word occurs for the second time in that paragraph, where the Lieutenant Governor is convinced the term is intended to mean "price." Where the word is first used in that paragraph it is indeed clearly meant to signify rate of annual rent. Where it is used a second time, the Lieutenant Governor understands it to mean rate of purchase-money, or price by the acre. No rate of annual rent is mentioned in paragraph 29, to which in paragraph 50 reference is made. The difference is very important, because by one interpretation, which the Board have adopted, the grantee would be required, in order to commute, to pay 20 times what he would have to pay by the interpretation which the Lieutenant Governor has adopted.

12. The Lieutenant Governor would also draw the attention of the Government of India to the fact, that even on this understanding, the terms of commutation now offered are not nearly so favourable to the holders of grants under the former rules, as the terms under which such holders may now commute, according to the "Gazette" notifications of 17th August 1859 and 15th May 1860.

13. Thus a grantee in the Soonderbuns, who holds free for 20 years, and then commences an increasing series of payments beginning with half an anna a beegah, or say one-and-a-half anna an acre, and rising at the 51st year to two annas a beegah, whose first annual rent on those terms would be 100 rupees a year, may now commute, supposing him to be in the first year of his 99 years' lease, all future payments under that lease by one payment of 1,041 rupees, which will be enough to free about 1,000 acres of culturable land. But by the new rule he would have to pay at least 2,500 rupees, or if he had already reclaimed the land, 5,000 rupees. In these cases the new rule is anything but a boon, which it was intended to be. And it seems unfair in principle to charge for the commutation of an annual rent, which is not to come into force at the rate assumed for 50 years, as much as is required for the commutation of an annual rent payable from the time of commutation. The true value of the one commutation is greatly less than that of the other. It is true the grantee would require, by commutation under the new rule, a perpetual tenure instead of a 99 years' lease. But though the former tenure is much preferable, on grounds of general policy, to the latter tenure, and much more agreeable to the holder, the difference of money value between the two, by annuity tables, is a mere trifle.

14. The case is similar with Assam and Cachar grants.

15. The Lieutenant Governor, therefore, feels sure that the Government of India will not object to allow existing grantees to commute on the terms already sanctioned, with the additional advantage of commuting a 99 years' lease into a perpetual heritable freehold.

16. If this is sanctioned, a rule calling attention to the favourable terms already available, which will remain available, should be added. If this is not sanctioned, the effect will be to revoke a boon already granted, and to charge five times the present cost of commutation to existing grantees.

17. Referring to the answer* of the Government of India to the Secretary to the Landholders' and Commercial Association (paragraph 3), I am directed to remark that to the Lieutenant Governor this ruling seems inconsistent with paragraph 33 of the Resolution. He strongly recommends a revision of this ruling. If the terms in the Resolution, "not yet completed the purchase of their grants," do not apply to Darjeeling grantees who have only completed one-tenth or two-tenths of their purchase, it is not easy to see to what class of cases it does apply.

18. The Lieutenant Governor does not agree in Mr. Young's objection to Rule 22.

19. I am also to ask the decision of his Excellency the Governor General in Council, on the question on which the Board differ, as to whether these rules are to supersede all existing rules for the grant of lands, or whether applicants are to be allowed to elect between these and the former rules.

20. I am

* No. 3509, dated 29th November last.

20. I am to state, for his Excellency's information, that the Board have been furnished with a copy of the rules as altered by the Lieutenant Governor, and have been requested to prepare a rule for reserving certain lands under paragraphs 23 and 24 of the Resolution of the Government of India, and to submit the draft of a law for giving legal effect to the measures laid down in the Government of India's Resolution now under notice.

21. The Surveyor General of India has been requested to take measures for providing surveyors for Darjeeling, Cachar, and Assam.

22. As being closely connected with the subject of this letter, the Lieutenant Governor directs me to convey to his Excellency the Governor General in Council, his strong recommendation that a rule be passed, appropriating all the money realised by the sale of waste lands to the construction and maintenance of roads within the province or district in which the waste lands sold are situated. The sale of waste lands, in such a country as India, cannot properly be regarded as a part of the ordinary and permanent revenue of the State. By such a rule as is proposed, the purchaser would feel that he benefits himself by the money he pays for his purchase; and the purchase of one lot would induce to the purchase of more, as the sale of every lot would enhance the value of the remaining waste land of the district. The one obstacle to the reclamation of the great wastes existing, is the want of roads to facilitate the introduction of labour and the export of produce; and a rule such as he proposes would, in the Lieutenant Governor's opinion, materially lessen this obstacle; and the manner proposed would be, in every respect, the most useful and the most appropriate manner in which the money realised by the sale of waste land would be expended.

(No. 7.)

From *H. L. Dampier, Esq.*, Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 914), dated 28 December 1861.

I AM directed by the Board of Revenue to acknowledge the receipt of the officiating Under Secretary's letter, No. 1093A, dated 25th October last, requiring the Board to submit a draft of rules of procedure, in conformity with paragraph 20 of the Resolution of the Supreme Government, dated 17th October, on the subject of the sale of waste lands in perpetuity, and redemption of the land revenue, and inquiring what provision exists, or should be made, for the survey of grants.

2. In drawing up the rules, herewith forwarded, the object has been to give every facility for ascertaining the localities in which waste lands are obtainable, and for obtaining the grants. The object of the registers prescribed by Rule II., will be to enable intending purchasers to ascertain, at a glance, what lands are at once available under the general conditions of these rules; and also to enable the Collectors, or other district officers, to judge at once whether there is any *prima facie* objection to the grant of the land applied for. On these rules being approved, immediate orders will be issued for the preparation of the registers; but it is not of course intended that the operation of the rules should be deferred till they have been prepared, which work may not be completed, in some districts, for a long time to come. In the meanwhile, applications for grants must be dealt with on the best information obtainable through the district officers.

3. Rule III.—The Board have adopted 3,000 acres as the limit of each grant, which they consider adapted generally to the districts subordinate to the Government of Bengal; but there is a difference of opinion as to the operation of this limit. The senior member and Mr. Young concur in thinking that it is clearly intended to limit the purchase of one individual to an area not exceeding 3,000 acres at one time in the same locality. The senior member sees no objection to the maximum area being made up from a second or a third plot, provided there be not available, in the first and second plot, land to the extent of 3,000 acres. Mr. Young would insist on the whole of the land required in one place being taken up in one lot; he believes that, if this be not done, the best land will be immediately taken up, and that intervening less desirable tracts will be left, and will consequently remain uncleared. It seems to him that it would be setting aside the check which, in the new rules, is substituted for that of cultivation proportionate to area, by which under the former system jobbing in lands was guarded against, to allow the same party to have assigned to him, on application, any number of grants, each of 3,000 acres; and that the very moderate maximum selling price of these lands was evidently fixed, as an average price, on good and bad lands taken together. Mr. Grote, on the other hand, has been unable to find in the Resolution, any restriction on the number of plots which may be purchased by the same applicant. He reads its paragraph as alluding to the limitation of area for each plot, as a difficulty purposely thrown in the way of mere speculators for the rising value of land.

Each plot is subject to be put up to outcry, and immediate outlay must be incurred on its survey and purchase. It seems inexpedient to make a prohibition which, as has been forcibly put by Dr. Campbell, cannot be enforced. Paragraph 15 of the Resolution leaves owners by purchase to make the best of their plots, and expressly sanctions their keeping the land in fruit or pasturage, if they find it to their interest to do so. In the belief that the rule may be evaded, the majority concur with Mr. Grote; but looking at paragraph 15 of the Resolution, they infer that the Governor General in Council entertained no such apprehension. The limit of area was fixed by the Supreme Government as a substitute for the conditions which have hitherto been imposed to enforce the clearance of grants, and it appears to the majority that their construction of paragraph 15 of the Resolution is more consonant with this intention than that of Mr. Grote.

4. Rule VI.—The bar to re-enter on the possession of rights which may have been invaded, must necessarily be provided for under the law which may be passed. Any party who may fail to convince the Collector or the district officer of his right to receive compensation, should be at liberty to establish, in a court of justice, the fact and nature of his lost right, and the fact of his having been prevented, by unavoidable circumstances, from bringing his rights to the notice of the district officer within 30 days of the promulgation of the notice prescribed in Rule IV.; but it should be provided that the compensation to be awarded be assessed on the principle declared in this rule.

5. Rule VII.—The Board will request the Government Solicitor to frame three deeds of grant, on the principles laid down in these rules—the first, to meet the cases described in Rule XI, where one-tenth of the purchase-money only is paid; the second, for those in which the money is paid in full; and the third, for cases of redemption of the land revenue. The Board believe that it would be more satisfactory to the grantees, especially to Europeans, that their rights should be secured by deeds, drawn up by professional attorneys.

6. Rule VIII.—The Board have fixed 8 annas an acre as the highest estimate for the cost of survey, and they understand from the Surveyor General that the survey of jungle will not ordinarily be done for less; but this sum, it will be observed, is merely a maximum limit. The propriety of fixing a proportion of the whole area which might, by mutual consent and without survey, be assumed as the area to be deducted on the ground of its being unculturable and valueless, was considered by the Board; but with reference to the varying conditions of many tracts in the Bengal districts, where water sometimes covers much of the land during many months in the year, and thus renders it absolutely unfit for cultivation, and where there is frequently no unculturable land, the Board have not thought it advisable to do so.

7. Rule XI.—The law must also provide that the Collector's or other district officer's order cancelling a grant, and directing the dispossession of the grantee, shall have the effect of a judicial decree; and that, if called upon to do so, the magistrate shall be bound to assist in carrying out the dispossession.

8. Rule XIII.—On the subject of the rates at which existing grants may be commuted I am desired to observe, that to insist on the holder of such a grant paying more for the lands which he has cleared by his own industry and expense than he need have paid if he had allowed them to remain in a state of unreclaimed jungle, would, in some cases, be unjust. Under the old rules, grantees are bound to clear certain proportions of their lots within certain specified periods. The Board consider that it would be fair and reasonable to demand payment at the higher rate for so much of the area, at least, as the grantee was bound by the terms of his grant to have cleared within any specified period which may have expired before the date of commutation; for the retention of his grant depended on those clearances being made, and had they not been made, the grantee would not now have had the prior right of purchasing the whole lot. But for all lands which he may have cleared, either before or after the date on which the last specified period elapsed, in excess of the stipulated area, they consider that it would be liberal to allow him to commute at a rate to be fixed with reference to the condition of the lands when they come into his possession under the grant; or, if it be considered undesirable to allow the grantee to pay at the lower rates for all land cleared in excess of that which he was bound to clear by the last specified quinquennial period, which may have elapsed, a computation may readily be made of the area which ought to have been cleared up to the close of the last year preceding the date of the grant, the calculation being made in proportion to the full area which the grantee was bound to clear before the expiration of the next specified quinquennial period. The Board desire me to recommend that a rule to this effect be added to those now submitted, as it would save the delay, inconvenience, and expense inseparable from a rule entailing the necessity of surveying, in each case, the cleared portion of the land. Such a rule has not been included by them with reference to the Orders of the Supreme Government, No. 2150, dated 29th November 1861, to the address of the Secretary to the Landholders' and Commercial Association.

9. Rule XV.—It will be observed that the full payment of the purchase-money on the first grant has not been insisted upon as a condition of entry on the reserved lot. It does not appear that any object would be gained by such a condition. One-tenth of the purchase-money having been paid down, interest at 10 per cent. is to be paid for the remainder. The rate of interest and the disadvantage of the lien, which Government will still have on

the grant, are quite sufficient to make it an object to the grantee to complete the purchase; while it is obvious that the terms and security are such that Government will be no loser in consequence of the full payment being deferred. Moreover, the omission of the above condition will promote the object of securing the rapid reclamation of waste lands. The clearance of two-thirds of the previous grant being made an indispensable condition of the allotment of each successive grants, it is obviously desirable that a given amount of capital be expended in securing successive loss by payment of one-tenth of the purchase-money on each, rather than in liquidating the full purchase-money on one lot, to which no further condition would attach.

10. Rule XVII.—Immediate reports of each case have been prescribed with reference to paragraph 20 of the Resolution of the Supreme Government; but it appears to the Board that a quarterly statement would be a sufficient check on the proceedings of local officers.

11. Rule XVIII.—This rule is at variance with the apparent meaning of paragraph 43 of the Resolution of the Supreme Government, from which it would appear that all Government claims, and liens on an estate of whatever nature, which may have accrued before the date of redemption of the land revenue, are to be annulled by such redemption; the Board's rule provides that the claim of Government to land revenue only shall be terminated, and they have no doubt that no more than this was contemplated by the Supreme Government.

12. Rule XXII.—Mr. Young objects to the adoption of this rule as likely to lead to the creation of numberless minute holdings in Government Khas Mehals, to which alone the rule would apply. He would fix a minimum area for such redemptions at 50 acres.

13. To these rules the Senior Member would add one as in the margin, declaring that all previous rules for grants of waste land are superseded. He is of opinion, that having only one set of rules will tend to save confusion, and remarks that the present rules are so liberal that their imposition, as the sole rules for the future grant of waste land, cannot be looked upon in the light of a hardship; and that they will save the grantees from the calamity of resumption, and the Government from the necessity of adopting so severe a measure. His colleagues, however, consider that it should be left optional to applicants either to avail themselves of the privilege now offered, or to take their grants under the old rules.

All previous rules for the grant of waste lands in Bengal are, as respects grants applied for subsequently to the date of the Resolution of the Government of India, of the 19th October last, hereby annulled.

14. The Senior Member would also add the rule, noted in the margin, as being desirable to save the Government from suits which may arise in consequence of differences of opinion in the construction of these liberal rules. He would also add a proviso for an appeal to the Commissioner within 15 days against all orders of the district officer not declared final in these rules. His colleagues differ from him on these points. There is, they observe, already a general right of appeal to the Commissioner from the Collector's or other district officer's order, where such appeal is not specifically barred, and, therefore, no rule to that effect is required.

If any question shall arise regarding the interpretation of these rules, it shall be referred to the Board of Revenue, whose decision shall be final and conclusive.

15. Under Government Orders, No. 363, dated 12th May 1854, and No. 688, dated 30th June 1852, the redemption, at 10 years' purchase, of estates on which the land revenue demand is less than 1 rupee, and of Calcutta holdings, at 15 years' purchase, of the ground rent, was authorised. The rules now submitted do not notice these cases. With reference to the labour and cost of collecting the revenue from such petty tenures, it seems desirable not to interfere with the special rules now in force with regard to them. Judging from the results of the permission to redeem at these rates, the Board believe that to increase the price would be to bar any further redemption in these petty holdings. They await his Honour's instructions on this question.

16. Mr. Grote considers the submission of the rules for redemption of the land revenue premature. He finds no call for them in the Resolution of the Governor General in Council, paragraph 20 of which appears to him to contemplate the preparation of rules regarding grants of waste land only. He considers that rules for the redemption of the land revenue cannot be properly drawn up till a law shall have been enacted modifying the present sale and Butwarrah laws. His belief is, that applications for partial redemption will be frequent. The desire to exempt their native villages from payments of revenue is known to be general and strong on the part of landholders. The division of estates must be facilitated if such redemptions are to be encouraged (which he believes to be the intention) within the limits of 10 per cent. of the revenue of each district. The majority of the Board, on the other hand, consider that the Resolution of the Supreme Government contemplated the preparation of such rules which, they desire me to remark, have been framed in accordance with the existing law, and which will not be the less applicable should the Government think it expedient to facilitate the division of estates as proposed by their colleague.

(No. 8).—RULES for regulating the Sale of Waste Lands and the Redemption of the Land Revenue within the Territory, subject to the Government of Bengal.

SALE OF WASTE LANDS.

Board's Rules.

Government Resolution, paragraph 8.

I. ALL unassessed waste lands in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed in former times, and to be capable of revival, shall generally be available for purchase.

II. A register shall be prepared of all waste lands ordinarily saleable under these rules, and a register shall also be made of lands on which special prices may have been, or may hereafter be fixed, which may for special reasons be excepted from the ordinary operation of these rules.

III. Applications for waste lands shall contain the following particulars:—

1st. The estimated area of the land applied for, which shall not be more than 3,000 acres; beyond which no grant can be made under these rules.

2d. The situation of the land and its boundaries as accurately as can be ascertained.

3d. The estimated area of cleared and of uncleared land which the tract applied for contains.

Government Resolution, paragraph 17.

IV. If the Collector or other officer in charge of the district be satisfied that the lands applied for are available for purchase, he shall, at the cost of the applicant, advertise the application at his own office, at that of the principal judicial officer of the district, at the offices of the moonsiff (if there be one), and police office within whose jurisdiction the land may lie, and at some conspicuous place on the land itself. If within 30 days of the specified date on which the last published advertisement may be promulgated, no claim of right in the land be preferred, and no other application for the same land be made, the Collector or other officers aforesaid shall deliver to the applicant a certificate of allotment in the annexed form (A.), which shall be an absolute guarantee of possession, subject only to the conditions contained in these rules.

Government Resolution, paragraph 18.

V. If, within the 30 days, a claim to right in the land be preferred, compliance with the application must necessarily be refused until such claim shall have been finally disposed of in due course. If, within the same period, one or more other offers to purchase the same land be made (none of the applicants having a prior right of purchase), the land shall be put up to auction at the upset price of an ordinary grant under these rules.

VI. No person to whom a certificate of allotment has been granted, shall be disturbed in his possession of the grant by reason of a right in the land being subsequently established by another party; but any person who may prove that his rights have been invaded, and may show good reason

Lieutenant Governor's Revised Rules.

I. ALL unassessed waste lands in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed in former times, and to be capable of revival, shall, unless specially reserved under Rule , generally be available for purchase under these rules.

II. No grant of land under these rules shall be made of greater extent than 3,000 acres.

III. Applications for the purchase of such waste lands shall contain the following particulars:—

1st. The estimated area of the land applied for, showing how much thereof, if any, is supposed to be unencumbered; with,

2d. The situation of the land and its boundaries as accurately as can be ascertained.

IV. If the Collector or other officer in charge of the district be satisfied that the lands applied for are available for purchase, he shall, at the cost of the applicant, advertise the application at his own office, at that of the principal judicial officer of the district, at the offices of the moonsiff (if there be one), and at the police office within whose jurisdiction the land may lie. If within 30 days of the certified date on which the last published advertisement may be promulgated, no claim of right in the land be preferred, and no other application for the same land be made, the Collector or other officers aforesaid shall deliver to the applicant a certificate of allotment in the annexed form (A.), which shall be an absolute guarantee of possession, subject only to the conditions contained in these rules.

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Board's Rules.

reason why his claim was not advanced before the allotment took place, shall be entitled to receive from the Government full compensation for the actual value of his interest in the land. Provided that no such claim shall be admissible, unless it be preferred within one year of the allotment of the grant, after the expiration of which time all unadvanced claims of third persons, whether to compensation or to the land, will be absolutely barred, subject in regard to compensation to the same exceptions in cases of infancy, lunacy, and the like causes of disability, as are admitted under the existing law of limitation. The Collector or district officer, on being satisfied that any rights as above mentioned have been invaded, shall proceed to fix the compensation under the rules prescribed by the law in force for fixing the compensation to be granted for lands taken up for public purposes.

VII. If from the records of any previous survey the actual area of the land applied for, the quantity which should be reserved for roads and other public purposes, and the quantity which should be deducted from the calculation of the price of the grant as unculturable and valueless can be ascertained, and if there be no good reason for a re-survey, the Collector, on payment being made of not less than one-tenth of the purchase-money of the land, shall deliver to the applicant a deed in English with a vernacular translation in the form B. annexed to these rules, accompanied by a tracing of the grant, taken from the official map of the district if there be one, and by extracts from the field-books.

VIII. If the land have not been surveyed, or if a re-survey be necessary, the Collector may place the applicant in possession of it provisionally on his depositing the estimated cost of the survey, calculated at a rate not exceeding 8 annas an acre. The applicant shall then be bound without delay to effect such clearances at his own expense as may be required for the purposes of the survey. The objects of the survey shall be to ensure the ready identification of the boundaries of the grant, to ascertain its gross area, and the area of such lands as the surveyor, with the concurrence of the district officer, shall think necessary to retain for roads or other public purposes, as well as to fix the proportion of the land which should be given to the applicant free of price in consequence of its being unculturable and valueless; and the survey shall be in no greater detail than may be necessary for these purposes.

IX. As a general rule, the depth of a grant shall be equal to at least twice the length of any river frontage it may have. If it should appear from the survey or otherwise that the tract applied for contains an undue amount of river frontage, the Collector may disallow the application and call for an amended one; and in the event of such amended application not being furnished within 15 days, shall declare the fees deposited on account of survey forfeited. If it be found that the land applied for exceeds

Lieutenant Governor's Revised Rules.

VII. If from the records of any previous survey the actual area of the land applied for, the quantity which should be reserved for roads and other public purposes, and the quantity which should be deducted from the calculation of the price of the grant as unculturable and valueless can be ascertained, and if there be no good reason for a re-survey, the Collector, on payment being made of not less than one-tenth of the purchase-money of the land, shall deliver to the applicant a deed in English with a vernacular translation in the form B. annexed to these rules, accompanied by a tracing of the grant, taken from the official map of the district, if there be one, and by extracts from the field-books.

VIII. If the land have not been surveyed, or if a re-survey be necessary, the Collector may place the applicant in possession of it provisionally on his depositing the estimated cost of the survey. The applicant shall then be bound without delay to effect such clearances at his own expense as may be required for the purposes of the survey, and also to erect boundary marks. The objects of the survey shall be to ensure the ready identification of the boundaries of the grant, to ascertain its gross area, and the area of such lands as the surveyor, with the concurrence of the district officer, shall think necessary to retain for roads or other public purposes, as well as to fix the proportion of the land which should be given to the applicant free of price in consequence of its being unculturable and valueless; and the survey shall be in no greater detail than may be necessary for these purposes.

IX. As a general rule, when the land applied for touches a navigable stream, or a public road, or a line of road about to be made at the public cost, the depth of a grant shall be equal to at least twice the length of any such river or road frontage. If it should appear from the survey or otherwise that the tract applied for contains an undue amount of river or road frontage, the Collector may disallow the application and call for an amended one; and in the event of such amended application not being furnished within

Government Resolution, paragraphs 11 and 26.

Government Resolution, paragraph 25.

Board's Rules.

3,000 acres the Collector shall exclude the excess from the boundaries of the grant in one plot, to be selected as far as practicable in accordance with the wishes of the applicant.

X. If on survey it be found that the land has been misrepresented by the applicant as waste land, the survey shall be immediately stopped, and the application be disallowed by the said district officer on the report of the surveyor, the amount deposited as the cost of survey being forfeited.

Government Resolution, paragraph 27.

XI. If there be no objection to the grant on any of the grounds described in these rules, the grantee shall, on completion of the survey, pay the difference between the estimated and actual cost of the survey, and a sum not less than one-tenth of the whole price of the land, on payment of which the Collector shall give to the applicant the deed of title with the map and extracts as specified in Rule VII. above. Should full payment of the sum demandable under this rule, or under Rule VII., not be made within three months of the date on which the district officer may record a proceeding declaring himself prepared to deliver the said deed, the certificate given under Rule IV. shall be cancelled, and the sum deposited for the cost of survey shall be forfeited.

Government Resolution, paragraph 27.

XII. On payment of not less than one-tenth of the purchase-money, as described in Rules VII. and XI. within the said period of three months, the name of the grantee will be provisionally registered on the collectorate books as proprietor of the grant. On payment of the full amount of the purchase-money, the registry will be made final and absolute, as of a heritable and transferable property held in perpetuity, free from all claims either of the Government, or of third persons prior to, or inconsistent with, the grant.

Government Resolution, paragraph 27.

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XIII. The price payable for culturable waste land shall ordinarily be two rupees and eight annas per acre of uncleared land, and five rupees per acre of land unencumbered with jungle, subject to a deduction for unculturable and valueless land; and these rates shall remain in force for five years from the 1st of January next, and be subject to revision in respect to land sold after that period.

Government Resolution, paragraph 28.

XIV. If the purchase-money be not paid in full within three months of the date of the district officer's proceeding declaring himself ready to deliver the deed, interest at the rate of 10 per cent. per annum shall be charged on the balance. The interest shall be payable annually, and the district officer shall be competent to realise any arrears which may accrue, by the sale, after 15 days' notice, of any crop or moveable property found on the land. Should no such property be found, or should the nett proceeds of such sale fall short of the arrear due, the district officer may sell the grant by auction

Lieutenant Governor's Revised Rules.

within 15 days, shall declare the fees deposited on account of survey forfeited. If it be found that the land applied for exceeds 3,000 acres, the Collector shall exclude the excess from the boundaries of the grant in one plot, to be selected as far as practicable in accordance with the wishes of the applicant.

X. If on survey it be found that the land has been misrepresented by the applicant as waste land, the survey shall be immediately stopped, and the application be disallowed by the said district officer on the report of the surveyor, the amount deposited as the cost of survey being forfeited.

XI. If there be no objection to the grant on any of the grounds described in these rules, the grantee shall, on completion of the survey after the difference between the estimated and actual cost of the survey has been paid, pay a sum not less than one-tenth of the whole price of the land, on receipt of which the Collector shall give to the applicant the deed of title with the map and extracts as specified in Rule VII. above. Should full payment of the sum demandable under this rule, or under Rule VII., not be made within three months of the date on which the district officer may record a proceeding declaring himself prepared to deliver the said deed, the certificate given under Rule IV. shall be cancelled, and the sum deposited for the cost of survey shall be forfeited.

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XIV. If the purchase-money be not paid in full within three months of the date of the district officer's proceeding declaring himself ready to deliver the deed, interest at the rate of 10 per cent. per annum shall be charged on the balance. The interest shall be payable annually, and the district officer shall be competent to realise any arrears which may accrue by the sale, after 15 days' notice of the grant by auction, after giving one month's notice at his office, and in the "Calcutta Gazette." The proceeds of the sale shall be applied in the first instance to the payment of the costs of sale and the satisfaction

Board's Rules.

after giving one month's notice at his office, and in the "Calcutta Gazette." The proceeds of the sale shall be applied in the first instance to the payment of the costs of sale and the satisfaction of the Government demand, the surplus being payable to the late registered proprietor.

XV. As soon as the grantee's name shall have been registered provisionally or absolutely as proprietor of a grant (as prescribed in Rule XII.), any one adjoining plot not exceeding the previous grant in area, if not previously applied for, and if available for disposal by Government, may, at the grantee's request, be surveyed at his expense, marked off, and reserved as a future grant to him; but subject to the obligations that, within five years from the date of his previous grant, he shall fulfil the conditions necessary to his being recorded as proprietor of this further grant and that two-thirds of the previous grant shall, within the same time, have been brought under cultivation. If he should fail in either obligation, the reservation of the plot will cease. Any number of further grants may be thus successively taken up on fulfilment of the obligations regarding the grant previously reserved.

XVI. Should it be found at any time that the same land has been included in more than one grant, all grants subsequent to the first shall become null and void, as regards such land only. The boundaries, where necessary, shall be re-adjusted by the district officer, who shall refund to the grantee the price which he may have paid for any land thus excluded from the grant, and any interest which he may have paid calculated on such price. The decision of the district officer on all questions under this rule shall be final.

XVII. All grants made under these rules will be immediately reported to the Government through the Board of Revenue, but no grant made in accordance with the rules will be liable to be disturbed on account of any informality not attributable to the act or default of the grantee or his agents.

Lieutenant Governor's Revised Rules.

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Government Resolution, paragraph 55.

Government Resolution, paragraphs 31 and 32.

Government Resolution, paragraph 20.

REDEMPTION OF LAND REVENUE.

XVIII. The land revenue now payable to Government on any estate, or any specific portion thereof, may be redeemed by the proprietor or proprietors on payment of a sum equal to twenty times the amount of the existing annual assessment, and the lands of which the revenue shall have been thus redeemed shall be thereafter a heritable and transferable property, held in perpetuity free of all future demand on account of the land revenue of Government previously assessed on such land, but subject to any legal claims unconnected with such revenue.

XIX. For the present the permission to redeem the revenue in any one district is limited to such a number of estates as shall, in their aggregate assessment, not exceed 10 per cent. of the total land tax of the district

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Government Resolution, paragraphs 41 to 43. Section XI., Act XI., 1859.

Government Resolution, paragraphs 38 to 40.

Board's Rules.

strict. When this limit shall be reached, the result is to be reported, through the usual channel, to the Governor General in Council, with a view to consideration of the expediency of enlarging the limit in such district, and to permitting further redemption.

Lieutenant Governor's Revised Rules.

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Government Resolution, paragraphs 45, 46, and 52.

XX. In the case of estates on which the land revenue has been permanently assessed, the party who has the right to pay it is alone entitled to redeem the revenue. When an estate has not been permanently assessed, the party possessing the right to pay the revenue as proprietor may redeem, but only when in occupancy. A share of an undivided estate, on which the proprietor has, under existing laws, acquired a right to pay his share of the revenue separately, may be redeemed by the proprietor; but in such cases no further rights are acquired by the purchase than immunity from demand on account of the assessment redeemed, all other rights and liabilities in reference to individuals and communities, and the contingent liability to sale for arrears due from the entire estate, where such liability now exists, remaining in full force.

XX. In the case of estates on which the land revenue has been permanently assessed, the party who has the right to pay it is alone entitled to redeem the revenue. When an estate has not been permanently assessed, the party possessing the right to pay the revenue as proprietor may redeem, but only when in occupancy. A share of an undivided estate, on which the proprietor has, under the existing laws, acquired a right to pay his share of the revenue separately, may be redeemed by the proprietor; but in such cases no further rights are acquired by the purchase than immunity from demand on account of the assessment redeemed, all other rights and liabilities in reference to individuals and communities, and the contingent liability to sale for arrears due from the entire estate, where such liability now exists, remaining in full force.

See Government Resolution, paragraph 50.

XXI. All grants already made under the existing rules for a term of years, but which have not been purchased, and in which no right of occupancy other than that of the lessee or that derived from him is found to exist, will be treated as if the land were permanently settled, and existing grantees will be at liberty to redeem the future land revenue on payment of a sum equal to twenty times the highest amount of annual rent fixed for any year during the currency of the grants, provided that the rates of the sum payable shall not exceed the rates mentioned in Rule XIII.

XXI. All grants already made under the existing rules for a term of years, but which have not been purchased, and in which no right of occupancy other than that of the lessee or that derived from him is found to exist, will be treated as if the land were permanently settled, and existing grantees will be at liberty to redeem the future land revenue on payment of a sum equal to twenty times the highest amount of annual rent fixed for any year during the currency of the grants, provided that the rates shall not exceed the rates mentioned in Rule XIII.

XXII. Where no right of proprietorship or of occupancy exists in any party, and the land is simply held from year to year or by tenants at will, the actual tenant shall be allowed to redeem, unless there be competition, when the redemption shall take place by auction.

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XXIII. The rules above laid down for defining the exact extent and limits of waste lands by means of plans and surveys, shall be applicable to lands the redemption of the revenue on which may be desired.

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Board of Revenue, L. P.,
December 1861.

Secretary.

(A.)

(No. 9.)

FORM of Certificate of Allotment.

I, _____, Collector of _____, do hereby certify that the lands, specified below, have been allotted to A. B. under the fourth of the rules for grants of waste lands issued by the Government of Bengal, dated _____; and the said A. B. is hereby authorised to enter on possession of these lands. This certificate is granted subject to all the conditions contained in the said rules, and is liable to be cancelled in accordance with them.

Situation of lands.

Boundaries as far as they can now be defined.

Estimated area.

Date.

Collector.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Superintendent of Darjeeling (No. 47), dated 27 December 1861.

In reply to your letter, No. 1090, dated 10th instant, forwarding copy of your letter to the address of the Secretary to Government, I am directed by the Board of Revenue to state that they agree with you that the limit of area specified in the Government Resolution relative to grants for waste lands is sufficient.

2. The reserved plots mentioned may be entered in a register, concerning which further instructions will be issued hereafter.

(No. 11.)

From *J. P. H. Ward*, Esq., Officiating Under-Secretary to the Government of Bengal, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 233A), dated 13 March 1862.

I AM directed to forward the accompanying copy of a letter, dated the 24th ultimo, from the Chairman of a Meeting of the Landholders at Darjeeling, together with a copy of its enclosures, on the subject of the sale of waste lands.

2. The Lieutenant Governor observes that he doubts whether he is strictly in rule in addressing his Excellency in Council on the subject of a memorial to the Government of India not passing through the Local Government; but it may not, he hopes, be considered objectionable, with reference to the application made, to refer his Excellency in Council to paragraph 17 of the letter from this office, No. 47A, dated 16th January last, from which it will be perceived that the Lieutenant Governor entirely concurs with the memorialists in respect to what they have represented.

(No. 12.)

From *W. J. Judge*, Esq., Chairman of the Meeting of the Landholders held at Darjeeling, to *E. H. Lushington*, Esq., Secretary to the Government of Bengal; dated 24 February 1862.

I HAVE the honour to annex copy of a resolution passed at a meeting of landholders held at Darjeeling on the 27th January 1862, and, in pursuance of the terms thereof, beg to enclose a copy of the memorial which has been forwarded to the Governor General in Council, and to request the favour of your laying the same before his Honor the Lieutenant Governor of Bengal, with the earnest request of the landholders of Darjeeling that his Honor will be pleased to support the prayer of their memorial. They have been encouraged to make this request by having had the opportunity of observing the great interest that his Honor, during his late visit to Darjeeling, showed in the advancement of the district and the success of the settlers.

It was proposed by *F. Brine*, Esq., and seconded by Lieutenant General Lloyd, C.B.,

That a memorial from the Darjeeling landholders be at once drawn out and circulated for signatures, praying that the holders of grants at Darjeeling, under the old waste land rules, may be allowed to commute under paragraph 33 of the Resolutions of the Governor General in Council of 17th October 1861; and that the several views under which the prayer of the memorialists is urged be distinctly stated therein. Also that a copy of the memorial be sent to the Lieutenant Governor of Bengal, with the earnest request that he will be so good as to second the views of the landholders in the favourable spirit which he has already so prominently shown in the interest of the Darjeeling settlers.

Carried unanimously.

Petition of the Landholders of the District of Darjeeling to his Excellency Earl Canning, Viceroy and Governor General of India in Council; dated 30 January 1862.

Humbly Showeth,

That your petitioners, being holders of grants of land in Darjeeling, hailed with feelings of great satisfaction the publication of the recent Resolutions of the Government of India regarding the sale of waste lands.

2. Your petitioners were led to believe that paragraph 33 of those Resolutions had particular reference to them, and that, as holders of grants under the old Darjeeling rules, they would be allowed to commute them under the new rules; and, in this belief, applications have been submitted from the landholders of Darjeeling generally, to the local authorities, for permission to avail themselves of the terms in question.

3. Your petitioners have, however, observed with regret, in the published correspondence respecting these rules that has taken place between the Secretary of the Landholders and

Commercial Association and the Secretary to the Government of India, that commutation under the terms of the Resolution, is stated to be impracticable for the holders of grants under the Darjeeling rules, because the land was sold absolutely at the upset price of 10 rupees per acre.

4. This decision is likely to have so injurious an effect upon the interests of your petitioners, and it appears to them to be so contrary to the liberal and enlightened spirit that dictated the recent Resolution, that they would earnestly pray that the question may be reconsidered, and that the holders of grants under the old may be permitted to commute them under the new rules.

5. Your petitioners would beg permission to state that they believed the terms of paragraph 33 to be particularly applicable to Darjeeling, because, as far as they are aware, it is the only place within the Presidency where holders of grants, before the promulgation of the new rules, could, in the words of the Resolution, have completed the purchase of their grants. The Secretary of the Landholders' and Commercial Association, in his letter to the Secretary to Government, omitted the words, "who has not yet completed the purchase of his grant," and your petitioners believe those words to have an important bearing on the question.

6. Your petitioners ask for no refund where more than the price fixed in paragraph 29 has been paid in under the old rules, but they pray that, where the amount of the instalments paid has been less, they may be allowed the benefit of it.

7. Your petitioners would further respectfully urge that the decision of which they complain will depreciate the value of property acquired under the action of the old rules. The holders of grants under those rules are chiefly the men who have led the enterprise that has given to Darjeeling its present importance in a commercial point of view. They have had to incur all the risks and difficulties of the first introduction of tea cultivation, and they now feel that they will be heavily taxed if they are required to pay twice and four times as much (for cleared and uncleared lands respectively) as will have to be paid under the new rules for neighbouring lands within this district, granted with more extensive rights and with fewer reservations. That this is the case will be readily perceived upon a comparison of paragraphs 12 and 13 of the Resolution with sections VII. and VIII. of the old rules, and paragraphs 28 of the Resolution with section VI. of the rules.

8. The anxious desire of the Government of India to encourage enterprise is so clearly apparent throughout the Resolution regarding the sale of waste lands, that your petitioners cannot but feel confident that, after a re-consideration of the claims they have urged, their prayer will meet with a favourable result.

And your petitioners, as in duty bound, will ever pray.

(No. 13.)

From *H. Bell*, Esq., Under Secretary to the Government of Bengal, to
W. Grey, Esq., Secretary to the Government of India (No. 334A), dated
19 April 1862.

IN continuation of my letter, No. 47A, dated 16th January last, conveying the views of the Lieutenant Governor on the Resolution of the Supreme Government for the sale of waste lands in perpetuity and for the redemption of the land revenue, I am directed to submit, for the consideration and orders of His Excellency the Governor General in Council, the accompanying copy of a further communication * from the Board of Revenue, giving cover to a draft rule for the reservation of such tracts of waste lands as may be required for public purposes, and soliciting information on several points to which their attention has since been drawn.

2. The Board have not submitted the draft of an Act for the disposal of waste lands, as they understand that a Bill for that object has been introduced into the Legislative Council of the Government of India.

(No. 14.)

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 135), dated 1 April 1862.

I AM directed by the Board of Revenue to submit the following remarks in reply to your Memorandum, No. 48, dated the 16th January 1862, which gave cover to copy of your letter to the Secretary to the Government of India, in the Home Department, No. 47, of the same date.

2. The

* No. 135, dated
1st April 1862,
with three encl-
sures.

2. The Board have issued orders for the immediate preparation of two registers in all districts, the one containing a specification of all waste lands available for purchase under the Resolution of the Supreme Government, and the other a detail of waste lands which are specially reserved: a register of grants, made under the rules, has also been prescribed. Copy of their Circular Order No. 25, dated 13th ultimo, is annexed.

3. On the 9th and following paragraphs of your letter, I am to observe that the question therein discussed had received the full consideration of the Board, and the conclusion to which they came was the same as that arrived at by His Honor the Lieutenant Governor. They regret that the wording of their Rule XXI. should have created an impression that they put any other interpretation on the 50th paragraph of the Resolution of the Supreme Government. The Board clearly understood the intention of the 3rd paragraph to be that 5 rupees an acre for cleared, and $2\frac{1}{2}$ rupees for uncleared, land should be the highest price demandable, under any circumstances, for an absolute rent-free tenure in waste land which had already been granted under existing rules.

4. Draft of the rule referred to in your 20th paragraph is annexed; but the Board do not submit the draft of an Act, as a Bill for the disposal of waste lands has, they understand, been introduced into the Legislative Council of the Government of India.

5. I am to observe that your letter does not notice the suggestion made in the 10th paragraph of my letter No. 914, dated 28th December 1861, as to the substitution of quarterly statements for immediate reports of all grants made under these rules. His Honor's instructions are also contained on the question contained in the 14th and 15th paragraphs of the same letter.

6. I am now to notice certain points to which the Board's attention has been drawn since the date of my former letter.

7. The Board observe that some modification in Rule XXII. appears to be urgently necessary. As it now stands (following paragraph 5 of the Resolution of the Supreme Government), not only may every tenant-at-will become absolute proprietor of the acre or acres of land on which he has once been admitted as a squatter, but all farmers of Government estates may claim to become absolute proprietors of their farms by the payment of a sum equal to twenty times their annual rent. The operation of this rule, even where the farmer is paying a fair jumma for his lands, may be illustrated from the case of Mr. Payter's mehals, which has lately been before the Government. Mr. Payter has, in recognition of his good management as farmer of the Government estates, been allowed to acquire the proprietary title on them by a payment of twelve years' purchase of what has been roughly estimated to be the annual profit, the estates continuing to bear the full jumma which Mr. Payter has hitherto paid as farmer. In four Dinagepore mehals, the purchase-money amounted to above 41,000 rupees. Having purchased the proprietary right, Mr. Payter must still pay a sum equivalent to twenty times the sudder jumma if he wishes to hold his lands rent-free. But under Rule XXII. for the redemption of revenue, as it now stands, Mr. Payter might have come forward and claimed a rent-free proprietary title in the lands on the mere payment of twenty times the farming jumma which he was paying, by which the 41,000 rupees which he has paid for the proprietary title would have been lost to Government; in fact, he might have obtained the property in the estates by paying the same sum as would have been demanded from a zemindar for the mere redemption of his revenue.

8. But the loss to Government would be comparatively greater in other cases, such as those of Government churs held in farm. These are often let on lease on trifling jummas, assessed on the small areas of which they consist at the time of settlement; but it is frequently found that, during the currency of the lease, the areas have very largely increased by alluvion, and that the value of the lands has been much enhanced by natural improvement. It appears to the Board that it cannot be intended to allow farmers of such churs to acquire a rent-free proprietary title by the payment of twenty times their jumma. They accordingly recommend that the following words be added to Rule XXIII.:—"This rule shall not apply to the farmers of Government estates." The objection above stated might of course be obviated by the immediate indiscriminate sale of all Government estates; but His Honor is aware that the circumstances of many estates render it inexpedient that they should be sold at present.

9. Another question has arisen on which I am to request the orders of Government. On an application being made for 3,000 acres of land, should a second demand be made for a smaller area contained within the 3,000 acres, will it be necessary for the Collector to put up to auction, under Rule V., the whole plot contained in the first application, or only so much of it as is applied for by both parties? In the case which has arisen, the Board have directed the adoption of the latter course.

10. Lastly, I am to observe that numerous applications for grants have already been made to the local authorities, some of whom appear to consider themselves at liberty, under paragraph 57 of the Resolution of the Supreme Government, to complete the sales. With reference to the different questions which have arisen in the preparation of these rules, it appears to the Board that it would be dangerous to allow every district officer to act on his own interpretation of the Resolution of the Supreme Government. They have, therefore, issued the annexed circular order, dated the 1st instant, directing that no grants be made, without their approval, until the rules be promulgated.

CIRCULAR ORDER from *H. L. Dampier*, Esq., Secretary to the Board of Revenue, Lower Provinces, to all Commissioners and District Revenue Officers (No. 25), dated 13 March 1862.

DISTRICT OFFICERS are hereby required to commence, without delay, the compilation of registers of waste lands in the Forms 1 and 2, hereto annexed. Register 1 should be available for inspection to any one who requires information regarding waste lands.

2. Commissioners will see closely to the correct preparation of these registers, and report quarterly the number of entries made by each Collector.

3. A form of register (No. 3) of grants made under the new rules is also annexed. Copy of the entries of each quarter will be forwarded to the Board as soon as possible after the close of the quarter.

4. The rules for the date of which a blank has been left on the forms will follow here after, but the preparation of the registers need not be delayed till their receipt.

No. 1.

REGISTER of all Waste Lands absolutely the property of Government, which are available for Grants under the Resolution of the Governor General in Council, dated 17th October 1861, and the Rules issued by the Board on the , in the District of

1.	2.	3.	4.	5.	6.	7.	8.		10.
Number of the Plot or Tract.	Pergunnah, Thannah, or other Sub- division in which situated.	Mouzah in which situated.	Boun- daries of the Plot.	Estimated Area of the Plot in Acres.	Actual Area (this column to be filled up only when the Land may have been measured or surveyed for any purpose).	Distance from Sudder Station of District, and means of com- munication with it.	Remarks, giving a description of the land, its natural features, soil, cul- tivation for which, it appears adapted, advantages or dis- advantages as re- gards a supply of labour, communi- cations, and any other information available.	Date of Allotment and Number of Deed.	Name. of Grantee.

No. 2.

REGISTER of Waste Lands the property of Government not available for Grants under the Resolution of the Governor General in Council, dated 17th October, 1861, and the Rules issued by the Board, dated , in the District of

1.	2.	3.	4.	5.	6.	7.	8.
Number of Plot.	Pergunnah, Thannah, or other Subdivisions.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.	Orders under which reserved.	REMARKS.

(No. 15.)

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Officiating Secretary to the Government of Bengal (No. 242), dated 26 June 1862.

* Present:
A. Grote and H. D.
Fergusson, Esqrs

WITH reference to the correspondence relative to the grant of waste lands, under the Resolution of the Supreme Government, dated 17th October 1861, I am directed by the Board of Revenue* to point out that great inconvenience is felt, especially in Assam, from the delay in giving formal possession of the grants applied for: many of the applicants, on the presumption that immediate possession would be given, have made arrangements for commencing operations. The Board would, therefore, urge the early issue of rules for the grant of waste lands.

No. 94, dated 2 July 1862.

Copy forwarded to the Secretary to the Government of India, in the Home Department, in continuation of letter from this office, No. 344, dated 19th April last, with a request that early orders may be passed for the issue of the rules in question.

By order of the Lieutenant Governor of Bengal,

(signed) *H. Bell,*

Under Secretary to the Government of Bengal.

(No. 16.)

From *J. D. Sim, Esq.,* Secretary to the Government of Fort St. George.
to *W. Grey, Esq.,* Secretary to the Government of India (No. 395), dated
25 February 1862.

I AM directed to acknowledge the receipt of your letter, No. 2092 A, regarding—

(1.)—"The sale of waste lands in perpetuity discharged from all prospective demand on account of land revenue, and

(11.)--Permission to redeem the existing land revenue by the immediate payment of one sum in equal value to the revenue redeemed."

2. On the first question I am instructed to forward a draft set of rules, and to submit the following observations on the subject:—

3. Under the "Freehold Rules" introduced in this Presidency in 1859, lands required for agricultural purposes on the Neilgherries, Shervaroys, Pulneys, and other similar localities, are sold by auction to the highest bidder, without any upset price, but subject to an annual assessment of one rupee per acre. The purchaser has further the right of redeeming this annual charge by the payment, once for all, of a sum equal to 20 years' purchase of it. On the completion of the sales, permanent title-deeds, under the seal of Government, are granted to the purchasers. Similar title-deeds were also offered to holders of lands acquired prior to these rules. Thus, in those localities which are alone suited for the settlement of Europeans, secure titles on freehold or permanent leasehold tenure, at the option of the settlers, have already been conceded in this Presidency. To the extension of the system, as proposed in the Resolution of the Governor General in Council, there is consequently no objection. In some respects, however, the rules proposed in that Resolution seem to this Government to need careful consideration.

4. These are—

(1.)—The proposed price, viz., 2½ rupees for uncleared, and five rupees for cleared land. These rates appear to this Government much too low. At five per cent., the rate adopted for redemption of assessment, they represent an annual payment of 3 *d.* and 6 *d.* per acre respectively. It is well known that coffee plantations, after three years, yield a net annual return of from 10 *l.* to 20 *l.* per acre. Tea is believed to be still more profitable, and even if the lands be left unimproved as pasture or firewood preserves, they are worth far more than the prices proposed. The Government are fully sensible of the advantages attending the introduction of European capital and skill; but they are satisfied that the price of land is not the obstacle to its introduction.

The Government have received no remonstrances against the existing price of land, but they constantly receive complaints of the want of good roads, of inadequate provision for the settlement of disputes, of inefficient police arrangements, and of similar administrative defects; and they are satisfied, that these are the real impediments in the path of the European settler.

They know, as a fact, that in the Wainad taluq of Malabar, only 90 miles from the coast, the coffee planters are at the mercy of wandering brinjarries for the conveyance of their produce to the port of shipment (as pack-bullocks can alone traverse the passes), and that one gentleman lost the bulk of a year's crop owing to a dispute with the tribe. They have not, however, the means, even with the present assessment, of remedying this serious evil: the roads are being steadily and energetically improved, but the expense is so great that it will be some years before Wainad has the roads which it needs for the full and proper development of its resources. The same may be said generally of the hill tracts, where alone European settlers will find a climate in which they can live and occupy themselves

without detriment to their health. The sale prices proposed by the Government of India would, however, place it absolutely beyond the power of this Government to fulfil its obligations towards its subjects. The result would be, that while land itself would be cheap, everything necessary to give it a real value would be wanting; progress would be retarded instead of expedited, and complaints against the Government would be endless. The Government do not advocate any immoderate price on land, but one bearing a fair proportion to the profits derivable from it, and sufficient to enable them to perform their obligations. In the plains the rates proposed may answer; but if they are adhered to in other localities, the European capitalist ought to be warned that he will be taxed, and that somewhat heavily, for all else that will render the investment of his capital profitable. In tracts suited for coffee, tea, and similar valuable products, the Government would charge no lower annual rent or assessment than one rupee for forest, and eight annas for other land per acre, commutable at 20 years' purchase. It must be borne in mind that the export duty on coffee has recently been given up, and the Government cannot, therefore, afford to sacrifice the land-tax. The rates proposed by them would leave the proprietors of coffee estates an ample profit and one proportionate to the actual value of the lands sold, forest being much more valuable than cleared land.

(II.)—This Government would strongly urge the advisability of selling lots by auction at an upset price or subject to the yearly assessment, at the option of the applicant. Wherever the land is worth having, the result of the Collectors' advertisement under paragraph 17 of the Resolution will be an offer to purchase from others, and the lot will then have to be sold by auction under paragraph 30. In those cases where the land is not worth having, the sale by auction will not affect the applicant, because there will be none to bid against him. The sale by auction removes all possibility of favouritism; it is fair to all concerned, and the Government would make it the rule in all cases.

(III.)—The Government are altogether opposed to the reservation of lots for future purchase under paragraph 31. The immediate effect of such a rule would be that an extent of land equal to that taken up in the first instance would be reserved, and placed beyond the reach of other capitalists for five years. In paragraph 14 the Government of India have justly abandoned all conditions obliging a grantee to cultivate any specific portion of his grant within any specific time, yet the main condition of a reserved grant is the cultivation of two-thirds of the previous grant within five years. This Government would strongly deprecate this concession, on the broad ground that by it, for every acre of land taken up under the new rules, another acre may, without the expenditure of an anna, be withheld from all other applicants for five years. Such a concession is neither just to the State nor to individuals.

(IV.)—Holders of grants under existing rules are allowed, under paragraph 33, to commute their grants under the new rules. This may be only fair in order to place them on an equal footing with new grantees, but the effect of the concession needs consideration. A landholder, now possessing 500 acres on the Neilgherries, pays 500 rupees annually; by this rule he may pay down 250 rupees, and annually pay 225 rupees thereafter for ever, the State thus losing 250 rupees annually. This supposes the land to be all cleared; if it be forest, which is really the most valuable, he need only pay 125 rupees down and 113 rupees annually, the State losing 375 rupees yearly.

5. As regards the second subject, viz., the option of redeeming the land assessment, I am to submit for consideration whether the existing rules do not meet the object in view as far as is consistent with safety. Under these rules building sites are sold on freehold tenure: land occupied wholly or in part by buildings, coffee-lands in Wainád, and all land on the Neilgherry, Shervaroy, and Pulney Hills may be enfranchised at the option of the owner—the rate of enfranchisement being 20 years' purchase of the yearly quit-rent or assessment, and title-deeds under the seal of Government being granted in all cases. Thus Europeans and Natives have already the means of converting the most valuable descriptions of landed property into freeholds. To the proposed extension of this power of redeeming the land revenue, which constitutes about three-fifths of the resources of the State, there are the following objections:—

(1.)—The general principle that no Government, and least of all a Government which,

which, like that of India, is practically autocratic, ought to be entrusted with the power of forestalling its income and expending its capital. There would be no check upon or limit to extravagance, if a Government were at liberty to raise money by the sale of perpetuities.

(II.)—The fact that the capital required for redemption is needed for the extension of cultivation, and will be far more productive if left in the hands of private individuals. Applied to the reduction of the public debt, it will yield but $5\frac{1}{2}$ per cent. ; in private hands it will produce from 10 to 20 per cent.

(III.)—The established fact that, while the market rate of interest is so high as it is known to be, very few will redeem their assessment at 20 years' purchase. The Inam Commission of this Presidency has confirmed 1,68,000 titles for $1\frac{3}{4}$ million acres ; and though redemption is open to all, and the assessment to be redeemed is always light, half assessment being the maximum, the Inamdars have availed themselves of the concession in only 257 instances for an aggregate assessment of 469 rupees.

6. The Government have thought it right to state their views on the two important subjects mentioned in your letter ; but, in accordance with the wishes of the Supreme Government, they submit the necessary rules for giving effect to the measures.

(No. 17.)

RULES for the Sale of Waste Lands in the Madras Presidency.

UNDER the Resolution of the Governor General of India in Council, dated 17th October 1861, No. 3264, the following rules for the sale of unassessed waste lands in the Presidency of Madras, in perpetuity, discharged from all prospective demand on account of land revenue, are hereby published for general information :—

2. Collectors will proceed at once to prepare statements of tracts reserved from the operation of these rules as being required for forest purposes, for grazing or firewood preserves, for building sites, or for any other public object. Copies of such statements shall be forwarded to the Board of Revenue. These statements shall be available for reference, by intending purchasers of waste land, on application at the offices of the Collector or the Board of Revenue. The Conservator of Forests will be consulted by Collectors in regard to forest tracts which it may be necessary to reserve.

3. Applications under these rules for unassessed waste lands shall be addressed to the Collector of the district in which they are situated.

4. Applications must be specific, stating with reasonable precision the situation and extent of the lands desired. General applications will not be noticed.

5. Immediately on the receipt of an application for unassessed waste land, the Collector shall ascertain whether there is any objection to the sale, or whether any special limitation is necessary, by reason of the land being required for public purposes, and whether the land is encumbered by any prior claim of property or occupancy.

6. Where no prior claims or objections are known to exist, the Collector shall advertise the application for 30 days in his district "Gazette" and by notifications to be affixed in some conspicuous place in his office, and in the village to which the lands appertain. It shall be the duty of the village officers to promulgate the notice in their villages. The notice shall specify the land applied for, and shall require all claimants or persons interested in it to prefer their claims, and state their objections, to the Collector within 30 days of the date of the notification.

7. Claims and objections preferred under the above rule shall be promptly investigated and decided, notice of them being given to the applicant, in order that he may be present at the investigation, if so disposed.

8. Where no claims or objections have been preferred, or where they have been decided to be invalid, the Collector shall forthwith furnish the applicant with a document, in the Form A, intimating that the land specified therein has been allotted to him, subject to the fulfilment of the conditions therein stated. But in special cases of doubt, reference is to be first made to the Revenue Board.

9. The Collector shall forthwith cause durable boundary pillars or marks to be erected, clearly defining the limits of the land, and shall have it surveyed, and a plan prepared of it, as soon as possible. The boundary pillars are to be erected and maintained at the expense of the grantee.

10. Possession of the land shall not ordinarily be granted to the applicant, until the boundary-marks have been placed, and the survey is completed and paid for. If, however, the applicant desires to obtain possession before the survey is finished, he may obtain it, immediately after the boundaries are placed, by paying the expense incurred in placing them and the estimated cost of surveying the land.

11. As soon as the land is surveyed and its area known, the Collector shall calculate its value at the rates stated in Rule 19, and shall intimate the same to the applicant, and call upon him to state whether he will pay the full amount at once, or if not, what portion, not being less than one-tenth, he will immediately pay.

12. The Collector shall then, according to the election made by the applicant, prepare a title-deed, in the Form B, and shall deliver the same to the applicant or his agent on payment of any portion of the purchase-money, not being less than one-tenth of its full amount, and the cost of survey. One-tenth must be paid at once to warrant the applicant obtaining or remaining in possession. The applicant shall, on such payment being made, be registered provisionally in the Collector's books as proprietor of the land. The applicant shall be furnished with a record of the survey, and a plan of his estate.

13. Where the land applied for has already been surveyed, and its area is known, its re-survey shall not be necessary. The applicant shall, in such case, be charged only with the cost of putting up durable boundary-marks, and of preparing a plan of his estate.

14. Where claims or objections are known to exist, or are preferred within the period prescribed in Rule 5, and are admitted by the Collector, the applicant shall be informed that his application cannot be complied with in consequence of such claims or objections. Should he still persist in his demand, the case is to be reported to the Revenue Board.

15. Where there are exclusive rights of occupancy, pasturage, wood-cutting, or other like rights in unassessed waste land, such waste land can be sold under these rules only to those who shall satisfy the Collector that they possess such rights by prescription or otherwise, or have obtained them by purchase. The Collector shall assure himself that any transfer of such rights has been made with a complete and fair understanding on the part of all concerned.

16. In any case in which, prior to the delivery of the Memorandum of Assignment (Form A), more than one application has been received for the same land, the Collector will, after the necessary survey, advertise the land for sale at an upset price, calculated according to the rates prescribed in Rule 19. The sale shall be duly advertised for one month, as prescribed in Rule 5, and the highest bidder above the upset price shall be declared the purchaser on his paying down one-tenth of the purchase-money and the cost of survey. A deed of grant in the Form B, will then be given to the purchaser, who will receive immediate possession.

17. A purchaser of an estate under the above rules may, as soon as his name is provisionally entered in the Collector's records as proprietor of a grant, require that any adjoining lands, not exceeding his previous grant in area (if not previously applied for, and if available for disposal by Government), be surveyed at his expense, marked off, and reserved as a future grant to him, but subject to the obligations that, within five years from the date of his previous grant, he shall fulfil the conditions necessary to his being recorded as proprietor of this further grant, and that two-thirds of the cultivable area of the previous grant shall, within the same time, have been brought under cultivation. If he should fail in either obligation, the reservation of the land will cease. Any number of further grants may be successively taken upon fulfilment of these obligations. In order to ascertain whether further grants thus applied for can be reserved, the Collector shall proceed as prescribed in Rules 4, 5, &c.

18. Holders of grants under existing rules, who have not yet completed the purchase of their grants, may commute the whole or any portion of such grants under these rules, retaining the portion, if any, not commuted on the terms of his original grant.

19. Unassessed cultivable waste land granted under these rules shall be sold at the following rates, viz. :—

Land unencumbered with jungle, 5 rupees per acre.

Uncleared land, $2\frac{1}{2}$ rupees per acre.

20. It shall be optional with a purchaser to pay the full amount of purchase-money at once, or to pay not less than one-tenth of it at once, and on the balance to pay interest annually at the rate of 10 per cent. In the latter case, the land will be under hypothecation until the price is paid in full.

21. The interest payable under the preceding rule shall be paid half-yearly, on the 30th June and 31st December of each year. If not paid within 14 days of the said dates, the Collector shall proceed for its recovery by the distraint and sale of the crop or other moveable property on the land, or by the sale of the land itself, in accordance with the ryotwary arrear laws.

22. No grant shall be made under these rules in excess of the following limits :—

In the immediate neighbourhood of the hill-stations and sanatoria, 500 acres.

Within towns, hill-stations, and sanatoria, 10 acres.

In other localities, 3,000 acres.

23. The Government reserve the power of making larger grants to public companies.

24. It is to be understood that reserves of grazing-land, or land for the growth of forest trees or of firewood near towns and stations, or for other special purposes, such as sites for sanatoria, building lots, &c., &c., are not to be sold without the special sanction of Government. Building sites at hill-stations and sanatoria shall be sold by public auction, in all cases, at the upset price of 2½ or 5 rupees per acre, according as the land is encumbered with or free from forest.

25. The rates of purchase specified in Rule 19 shall remain in force for five years from the 1st January 1862. After that date they are subject to revision in the case of land sold after that period.

26. Assessed waste land, which has remained uncultivated for five years or upwards, may be sold under these rules on the same conditions as unassessed waste, but the price shall be 20 years' purchase of the assessment.

27. The right of purchase on these terms shall, in the first instance, be tendered to the inhabitants of the village within whose bounds the lands may be situated, or who may have been in the habit of using it. In the event of more than one of the inhabitants of the village wishing to have the land, it shall be sold by auction, after due notice, at the upset price of twenty times the assessment. No person other than an inhabitant of the village shall be allowed to bid at such sale.

28. In the event of the villagers declining to purchase the land, and of its sale being considered unobjectionable by the Collector, it shall be made over to any applicant at 20 years' purchase of the assessment.

29. The tenure of all waste lands granted under these rules shall be that of an heritable and transferable property held in perpetuity, free from all claims either of the Government or of third persons prior to, or inconsistent with, the grant. There shall be no condition obliging the grantee to cultivate or clear any specific portion of the grant within any specific time.

30. Except under peculiar circumstances, which may require special reservation, the deed shall convey all rights of forest, pasturage, mines, fisheries, and all other property of the Government in the soil; but it will reserve to the Government, to proprietors of other lands, and to the public, all existing and customary rights of freely using any stream for purposes of navigation or irrigation, and for the transport of timber or other property, and for other purposes of general utility.

There shall be no reservation to the Government of any right to take land or materials for roads, tanks, canals, works of irrigation, or other public improvements other than may be marked out or designated at the time of the grant, or otherwise specifically excepted in the grant. But the absence of such reservation will not affect the power of the Government to purchase land under Act VI. of 1857, or under any other general law for the acquisition of land, &c., required for public purposes.

31. If, after the allotment of unassessed waste land under the preceding rules, any person shall establish a right of property in the land so allotted, the possession of the party to whom the land has been granted *bonâ fide* shall not be disturbed. But provided the claim be made within one year from the allotment, the claimant, on proof of his right, and on showing good reason why his claim was not advanced before the allotment took place, shall be entitled to receive from the Government full compensation for the actual value of his interest in such land. After the expiration of a year, all rights of third persons, which have not been already claimed, will be altogether barred, as well in regard to compensation as against the land; subject, in regard to compensation, to the same exceptions in case of persons under disability from infancy, lunacy, or other like causes as are admitted by the existing law of limitation.

32. No transfer of rights in lands granted under these rules shall be recognised by the courts or revenue officers, unless duly registered in the Collector's books within six months of such transfer.

33. The grants made under these rules are subject to local and municipal taxes in common with other lands.

34. A separate register of all grants under these rules shall be kept in the Collector's office, in English, in the following form:—

Number of Grant.	Name of Grantee.	Tâluq and Village in which Grant is situated.	Name and Boundaries of Grant.	Area of Grant.	Price of Grant.	Date of Deed of Grant.	Special Reservations (if any).	Subsequent Registered Transfers or Successions.

The original maps or plans, and survey records of all such grants, shall be kept in a series corresponding with the number in this register.

35. Every grant will be reported through the Board of Revenue to Government, immediately on the deed of grant being delivered to the grantee.

36. Every six months a report will be furnished by Collectors to Government, through the Board of Revenue, of any sums that may have been realised within the previous six months as purchase-money and interest.

37. The deed of grant will be drawn up in English, with a vernacular translation attached, the meaning in all doubtful cases being settled by the English text.

FORM A (Rule 8).

I HEREBY certify that the under-mentioned lands have been allotted to subject to the conditions set forth in the rules for the sale of waste land under the Resolution of the Governor General of India in Council, dated 17th October 1861. Failing fulfilment of the said conditions by the said this certificate shall be null and void:—

Number of Grant.	Village and Táluq.	Boundaries of Grants.	Area of Grant.
Dated			Collector of

FORM B (Rule 12).

FORM OF GRANT.

KNOW all men by these presents, that the Governor in Council of Madras has conferred on , his heirs, executors, administrators, and assigns, the grant of a tract of land measuring British statute acres , situate in , to be holden by him in full proprietary right, subject to the following conditions:—

* Enter the date, calculated three months from date of this deed.

I. The purchase-money for this grant is rupees, of which rupees have been already paid. On the , if the entire purchase-money has not been paid up, interest at 10 per cent. per annum will be charged on the balance; and thereafter, until the entire purchase-money be paid up, such interest will be chargeable on all unpaid arrears of the purchase-money; and all payments by the grantee shall be first carried to the credit of any outstanding arrear of interest due on such purchase-money.

II. Arrears of interest shall be treated in the same manner as arrears of ryotwary land revenue, and be subject to the same measures of realisation.

III. No transfer of proprietary right will be recognised by the civil courts, or by the revenue officers of Government, unless duly registered.

IV. The grantee is to maintain permanent boundary-marks round his grant, and keep them in a state of repair.

V. The grant conveys the plenary right to all products both above the surface and below the same. (Here any exceptions, which may have been approved by superior authority, are to be noted.)

VI. The existing and customary rights of Government, of other proprietors, and of the public, in existing roads and paths, in streams running through or bounding the estate, will be maintained for purposes of irrigation or navigation, and for the transport of timber or other property, and for other purposes of general utility. The Government reserves to itself the right which it everywhere possesses over all such streams, whether for purposes of irrigation or navigation; and whenever it sees fit, can assume the control of the waters, and distribute them in such manner and on such conditions as may seem most conducive to the public good.

VII. The

VII. The lands included in this grant are shown in the subjoined table:—

Number of Grant.	Táluq and Village.	Boundaries of Grant.	Area in Acres.

VIII. On the payment of the purchase money in full, with all arrears of interest, the grant will belong to the grantee, free for ever from all demand for land revenue.

IX. The liability of the lands herein specified to municipal or local taxes is not affected by this grant.

(No. 18.)

RULES for the Redemption of the Land Revenue.

I. PROPRIETORS of lands subject to assessment, quit-rent, or other land tax payable to Government, if desirous of redeeming such payment, must apply by a letter to the Collector of the district in which their lands are situated.

II. The application must state the situation of the lands, their extent so far as known, their assessment, and the applicant's title to be recognised as their proprietor.

III. The rate of redemption shall be 20 times the existing annual assessment.

IV. Immediately on receipt of an application for permission to redeem the assessment, the Collector shall cause durable boundary pillars or marks to be erected, clearly defining the limits of the land, and shall have it surveyed, and a plan prepared of it as soon as possible. The boundary pillars are to be erected and maintained at the expense of the applicant, who shall also bear the cost of the survey and plan of the land.

V. Where the land applied for has already been surveyed, and its area is known, its re-survey shall not be necessary. The applicant shall, in such cases, be charged only with the cost of putting up durable boundary marks, and of preparing a plan of his estate.

VI. It is to be understood that the freedom of tenure conferred by redemption under these rules is absolute only as against the Government. It will be given on *prima facie* evidence of the right of the applicant to be recognised as proprietor; and other persons contesting that right, and claiming the land, will be as free as before to sue the holder in the civil courts.

VII. In estates held under the provisions of Regulation XXV. of 1802, of the Madras Code, the registered proprietor shall alone be held to have the right of redeeming the land revenue under these rules. In the case of ryotwary lands the jenmakar, merassidar, or registered proprietor holding directly from the Government, shall alone have the right. In other cases, the person entitled to pay the assessment shall be held, as a general rule, to possess this right; but all doubtful cases shall be referred to the Board of Revenue for decision.

VIII. The redemption of the land revenue under these rules shall in no way affect subtenures, rights of occupancy, or other subordinate rights whatever.

IX. The assessment on which the redemption shall be calculated shall, in the case of lands held under Regulation XXV. of 1802, be the permanent assessment. In the case of ryotwary lands it will be the survey or recognized standard assessment, and in the case of Inams it will be the quit-rent finally fixed thereon.

X. Lands of which the assessment is redeemed under these rules shall continue liable to local and municipal taxes in common with other lands.

XI. No transfer of lands of which the assessment has been redeemed under these rules shall be recognised by the courts or fiscal officers of Government unless duly registered.

XII. In all cases where a Collector refuses to permit an applicant to redeem his assessment, it shall be open to the applicant to appeal to the Board of Revenue.

XIII. The redemption of the assessment on lands held in shares on cowles or leases and generally of lands held on peculiar tenure shall not be allowed without the sanction of the Board of Revenue.

XIV. Whenever redemption shall have reached the limit of 10 per cent. of the total land revenue of a collectorate, the Collector shall report the fact to Government through the

Board of Revenue, and suspend all further redemption until he receives orders from Government.

XV. On payment of the redemption money in full the proprietor shall be furnished by the Collector with a title deed in the following

FORM.

Whereas A. B. registered proprietor of the land hereunder specified has under clause 2 of paragraph 4 of the Order of Government dated August 5th 1859 No. 1053 paid into the Treasury at the sum of rupees in redemption of the quit-rent or land tax now payable on the said land I hereby declare under the authority of the Governor in Council of Madras that the said land is henceward free of all demand on account of quit-rent assessment or other land tax.

Provided however that this certificate in no way affects the liability of the said land to payments for municipal or other local purposes nor does it in any way affect any rights or interests which other parties than the abovesaid A. B. may have in the said land.

SPECIFICATION OF THE LAND.

Tâluq and Village.	Name, if any.	Boundaries.	Extent.	Sum paid.	Date of Payment.

Collector of _____

(No. 19.)

From A. J. Arbuthnot, Esq., Acting Chief Secretary to the Government of Fort St. George, to E. C. Bayley, Esq., Secretary to the Government of India, No. 1572, dated 22d July 1862.

I AM directed to acknowledge the receipt of your letter, No. 3053, dated the 20th ultimo, having reference to the representation made by the Collector of Coimbatore, regarding the rates proposed to be adopted in selling waste land under the Resolution of the Government of India, dated the 17th October last, and observing that paragraphs 23 and 24 of the Resolution in question, as also the provision in paragraph 30, regarding sale by auction, will enable the Government of Fort St. George to prevent any undue sacrifice of the public interests in respect of the particular lands referred to by Mr. Thomas.

2. In reply I am directed to say that the limitation in paragraph 30, which confines sales by auction to the case of land for which there is more than one applicant is, in the opinion of this Government, inexpedient. The sale by auction removes all possibility of favouritism, and all ground for alleging that it has been shown. If the value of the land does not exceed the upset price, there will be no bidders except the original applicant, and the sale by auction will in no way affect his interests. If it does, it is right that the State should receive the excess, and this the Governor in Council thinks is more likely to be secured if all lots applied for are put up to auction, whether there is more than an applicant or not, than if the Collector confines himself to advertising the applications under paragraph 17 of the Resolution.

(No. 20.)

From Sir George Couper, Bart., c.b., Secretary to the Government of the North Western Provinces, to E. C. Bayley, Esq., Secretary to the Government of India, No. 692 A, dated Nynee Tal, 1st July 1862.

WITH reference to Mr. Secretary Grey's letter, No. 1376, dated the 11th March 1862, I am desired to forward, for submission to the Viceroy and Governor General in

in Council, copies of the letters noted on the margin,* relative to the rules of procedure for redemption of the land tax under the Resolution of the Governor General in Council, No. 3264, dated the 17th October 1861.

2. It will be seen that in the first instance the Lieutenant Governor intended to issue the rules of procedure on his own authority, after settlement of the points referred in my letter to your predecessor, No. 1401 A, dated 24th December 1861, as plainly contemplated by the Resolution; but about the time when Mr. Grey's letter, No. 1376 was received, the Bill to legalise the measure of redemption was brought forward by the late Viceroy in the Council of the Governor General, for making laws and regulations, and almost simultaneously certain papers were published, showing it to be the intention of another Government to obtain the endorsement of the Government of India to the rules of procedure under the Resolution of October 1861, before authoritatively issuing them. The Lieutenant Governor accordingly determined to follow the same course on the enactment of the Bill.

3. But the Council of the Governor General for making laws and regulations has been prorogued for an undefined period; and for the reasons stated in the first paragraph of the enclosed address from the Sudder Board of Revenue, it appears unadvisable to postpone the publication of the rules of procedure for the redemption of the land tax.

4. The rules which accompany this letter have been carefully revised, and the Lieutenant Governor recommends that, in order to give finality and full authority to them, his Excellency the Viceroy and Governor General in Council will be pleased to confirm them. None seem to call for any present remark, except rule 13, which, it will be observed, the Lieutenant Governor desired to extend, so as to admit of shares in the particular tenures to which it relates, being redeemed. But, after full consideration, his Honor does not see how the objections raised in the 4th paragraph of the address from the Sudder Board of Revenue can be met, or how, in the case of such estates, any redemption, short of redemption of the entire mehal, can be effected.

5. As several applications for redemption have been already received, and, others the Lieutenant Governor knows may be shortly expected, I am desirous to request an early reply to this address.

(No. 21.)

From Sir George Couper, Bart., C.B., Secretary to the Government of the North Western Provinces, to G. H. M. Batten, Esq., Secretary to the Sudder Board of Revenue, North Western Provinces, No. 251A, dated Nynce Tal, the 2nd April 1862.

I AM desirous to refer you to the correspondence noted in the margin, on the subject of the proposed rules of procedure for the redemption of the land tax in these provinces under the Resolution of the Governor General in Council, No. 3264, dated the 17th October last.

2. A copy of the letter No. 1376, dated the 11th March 1862, in which the Secretary in the Home Department has conveyed the instructions of the Governor General in Council upon the points referred by the Lieutenant Governor in connexion with the rules above mentioned, has been sent to you for submission to the Sudder Board of Revenue with my separate address No. 250A of this day's date, regarding the rules of procedure for the sale of waste lands in the North Western Provinces.

3. The limitation placed by His Excellency in Council on the meaning of the terms used in paragraph 43 of the Resolution No. 3264, dated 17th October last, removes the apprehensions which the Lieutenant Governor was disposed to entertain as to the inference which might, at some future time, be drawn from those expressions.*

4. Paragraphs 20 and 26, therefore, of the rules of procedure will remain unaltered, as representing correctly the intentions of the Government of India, except that the last passage

* "Para. 43.—The tenure obtained (by redemption) will be that of an heritable and transferable property, held in perpetuity free of all demand on account of land revenue or of the Government."

To the Sudder Board of Revenue, North Western Provinces, No. 251A, dated 2d April 1862. From Sudder Board of Revenue, North Western Provinces, No. 251A, dated 20th Jan 1862, with enclosure.

From Secretary to the Sudder Board of Revenue, North Western Provinces, No. 373, dated December 1861, with enclosure. To Secretary to the Sudder Board of Revenue, North Western Provinces, No. 1400A, dated 24th December 1861. From Secretary to the Sudder Board of Revenue, North Western Provinces, No. 4, dated January 1862.

of the latter (as copied in the margin*) will be removed with reference to the declaration in paragraph 9 of the letter No. 1376, dated 11th ultimo, that the road and other cesses engaged for at the settlement cannot be redeemed with the land revenue, but "should continue to be paid separately." The words within brackets in the margin† may be substituted for the excised passage.

5. The Sudder Board of Revenue will observe from paragraphs 10 and 11 of Mr. Secretary Grey's letter that paragraph 53 of the Resolution is to be read without restriction, and that a sharer in an undivided estate must be allowed to redeem his share of the revenue, his joint liability for the land revenue of the whole estate remaining in full force. "It is not until the lands of a particular share have been entirely marked off from the rest of the village, and separately defined and assessed, that the redemption can be complete."

6. This ruling necessitates a reconsideration of the Rules 9 and 13. The Lieutenant Governor suggests for the consideration of the Board whether the two following rules will not be more in accordance with the opinion pronounced by the Governor General in Council, whether this may not be substituted for those (9 and 13) just mentioned:—

"9. The entire revenue of an undivided zemindaree estate may be redeemed by the body of proprietors conjointly. The sum to be paid will be 20 times the jumma assessed upon the village, and on the payment of this sum in full the redemption will be complete. If any sharer in such an estate should claim to redeem his individual share, it will be necessary, under paragraph 53 of the Resolution of the Governor General in Council, dated 17th October 1861, to admit his claim without insisting on conformity to the provisions of paragraph 44 of the same, which have been pronounced by the Government of India to be in some extent inapplicable to such cases. But in such a case no other rights will be acquired by the purchase than immunity from the demand on account of the assessment redeemed, all other rights and liabilities in reference to individuals and communities, and the contingent liability to sale or other process for arrears due from the entire estate, where such liability now exists, remaining in full force. It will only be where the lands of a particular share have been entirely marked off from the rest of the village, and separately defined and assessed, that the redemption will be complete."

And "13. In pütteedaree and bhyachara villages, where the division of lands is liable to change, complete redemption of the revenue assessed on the entire mehal, may be effected by a payment at 20 years' purchase on the part of all the co-proprietors conjointly. A sharer in such an estate may either redeem his share, causing a partition, under the law for the time being in force, to be made of lands which will thereafter constitute his fixed and unalterable tenure in the village; or he may redeem his own separate liability for his share of the whole assessment on the entire estate. But in the latter case his joint liability for the land revenue of the whole estate, as well as the contingent liability to sale or other process for arrears due from the whole estate where such liability now exists, and all other rights and liabilities in reference to individuals or communities, will remain in full force."

7. With reference to paragraph 13 of Mr. Secretary Grey's letter No. 1376, I am desired to forward to you an extract paragraph 6 from my letter to the Government of India No. 1401 A, dated 24th December 1861. No further remark is required. The Government of India will see to the insertion in the Act of a registration clause.

8. The misquotation of "paragraph 15," in Rule 6, will be corrected; and the addition to Rule 7, proposed in your letter No 4, dated 3d January last, is approved.

9. I am desired to request that the Sudder Board of Revenue will be good enough to reconsider the rules of procedure for redemption of the land revenue, in connexion with the letter No. 1376, dated 11th ultimo, from Mr. Grey, and with the foregoing remarks, and eventually submit a revised draft; and as the Bill has been brought before the Council of the Governor General for making laws and regulations, I am to suggest that, perhaps it will be well to postpone the final revision of the rules until the Bill shall be published, and its provisions made known.

10. It is observed from published papers, that the Lieutenant Governor of Bengal has thought it necessary to submit his rules of procedure on both measures for the approval of the Government of India before authoritatively issuing them. The tenor of the Resolution, dated 17th October 1861, did not seem to Mr. Edmonstone to contemplate this; but the sanction of the Government of India will give a finality and authority to the rules which otherwise, perhaps, they would not possess; and it is proposed, after your replies to this letter, and to my separate address, No. 250 A, of this day's date, have been received, to submit the revised rules for the sanction of the Governor General in Council.

* "Of these it will be in the power of the proprietor to redeem the road cess on one per cent., and (where that has been engaged for at the settlement) the educational cess, at 20 years' purchase. All sums paid on this account will be separately credited and reported, as it will be necessary to invest them in distinct funds."

† ["These and all other legal cesses of the kind will continue to be paid separately. They cannot be redeemed."]

From G. H. M. Batten, Esq., Secretary to the Sudder Board of Revenue, North Western Provinces, to Sir George Couper, Bart., C.B., Secretary to the Government of the North Western Provinces, No. 464, dated Allahabad, the 20th June 1862.

IN the concluding paragraph of my letter No. 268, dated 12th April, on the rules for the sale of waste lands, the Board proposed to defer their reply to your letter No. 251, dated 2nd April, on the rules for the redemption of the land-tax, until the Bill on the subject should have passed the Legislative Council. But the Council having adjourned, the Board have thought it best to submit their reply with the revised rules without further delay. Several applications for redemption have been received, and their consideration deferred pending issue of the rules. Eight months have already elapsed since the publication of the Viceroy's Resolution; and the sooner that action, already so long deferred, is permitted in accordance with its provisions the better.

Present:
W. Muir, Esq.,
Senior Member.

2. The draft of the rules now forwarded is amended in conformity with the instructions of the Government of India, and those of his Honor contained in your letter, in all respects excepting one.

3. The exception is Rule 13, and the Board do not see their way clearly to the adoption of the amendment contained in your letter.

4. Where the title of a sharer is represented by a fixed fraction, or by a fixed holding, the liability of such share may be redeemed. On the contrary, where his title, as in a begahdam tenure, is fixed by no such rule, but is measured by the extent of holding for the time being in his possession, the Board do not see how the liabilities of a title, subject as this is to vary from day to day, can be redeemed. The revenue in such cases is assessed by the proprietors on the component holdings; generally by a baach or distribution varying with the extent of land in possession at different times; sometimes by a rate on the number of ploughs, &c. A person in possession to-day of 50 acres paying 50 rupees may, 10 years hence, have 100 acres paying 100 rupees; such at least is a possibility of the tenure. The Board can understand how any sharer might redeem his present quota of 50 rupees of revenue by the payment of 1,000 rupees; but this, in a tenure of the kind supposed, would not necessarily imply the redemption of "his share of the whole assessment in all time to come." Or, in so far as it should be ruled to do so, it would expose the Government to fraud; for hereafter should we find this sharer, under the recognised constitution of the village, in possession of 100 acres, no further demand could be made from him notwithstanding that he was in possession of double the amount of land he held when he redeemed his share. Of course, so long as the joint responsibility was not dissolved, the Government could always recover its position by enforcing the sale or farm of the whole estate. But the very idea of redemption seems to imply a fixed fractional share, or a fixed holding, or some fixed measure for determining the share of which the revenue has been redeemed. Where the measure of a man's property and of the share of his assessment is simply his holding, and that holding itself is liable to vary, all that can be redeemed is a certain amount of jumma, bearing no invariable proportion to his share.

5. Moreover, the retention of Rule 13 in its present shape can have no practical ill effect, for it is not consistent with experience to suppose that any sharer would seek to redeem a shifting and uncertain tenure by so large a payment, unless indeed it were done, *malâ fide*, with a view of over-reaching Government or his fellow sharers. If he acted *bonâ fide*, his first step would be to stereotype the tenure for the redemption of which he was about to sink so large a capital.

6. The Board, under these considerations, have left paragraph 13 (with some verbal amendments) substantially as it was before, pending his Honor's reconsideration in reference to the above remarks.

CIRCULAR ORDER.

THE following rules are prescribed for giving effect to the Resolution of the Supreme Government, No. 3264, dated the 17th October, regarding the redemption of the land revenue by the payment of its value in one sum.

2. *First,—The parties entitled to redeem.*

3. In permanently assessed districts the privilege is confined to the persons who have the right to pay the Government demand.

Resolution, paragraph 45.

4. In temporarily assessed districts the title is further restricted to the persons who, in addition to the above right, possess also the right of occupancy of the land.

Resolution, paragraph 46.

5. This may be held in these provinces to mean the proprietors in possession, as defined in section 187 of Directions to Collectors, "the proprietors, *de facto*, i. e. the persons in apparent and acknowledged proprietary possession."

6. In talookdaree estates, where the settlement has been made direct with the talookdar, the talookdar is the person entitled to redeem the land revenue; but due advertence must be had in such cases to the reservation indicated below in paragraph 16.

7. In talookdaree estates, the settlement of which has been made direct with the zemindars or subordinate proprietors, they will be the parties entitled to redeem the revenue. The talookdaree allowance, whether paid through the Government, or direct to the talookdar, will be excluded from the calculation. In the former case the talookdar will, after redemption, be empowered to realise his dues without the intervention of Government.

8. *Second,—The properties of which the Land Revenue may be redeemed.*

9. The entire revenue of an undivided zemindaree estate may be redeemed by the body of proprietors conjointly. The sum to be paid will be 20 times the jumma assessed upon the village, and, on the payment of the sum in full, the redemption will be complete. If any sharer in such an estate should claim to redeem his individual share, it will be necessary, under paragraph 53 of the Resolution of the Governor General in Council, dated 17th October 1861, to admit his claim without insisting on conformity to the provisions of paragraph 44 of the same, which have been pronounced by the Government of India to be in some extent inapplicable to such cases. But in such a case no other rights will be acquired by the purchase than immunity from the demand on account of the assessment redeemed, all other rights and liabilities in reference to individuals and communities, and the contingent liability to sale or other process for arrears due from the entire estate, where such liability now exists, remaining in full force. It will only be when the lands of a particular share have been entirely marked off from the rest of the village, and separately defined and assessed, that the redemption will be complete.

10. In putteedaree estates, of which the land is entirely divided, the jumma of the mehal may be redeemed, as above, by the putteedars conjointly. If any putteedar is desirous of redeeming his share, he can proceed either by partition, thus constituting his puttee a separate and independent estate, or he may apply for permission to redeem his quota of the revenue, still retaining his position as a member of the village community. But in this latter case, as the assessment has been fixed by Government upon the entire village, and not on each puttee, a careful investigation will be necessary into the equality of the distribution of the jumma. If the jumma of the puttee be found to bear its full proportion to the jumma of the village, with due regard to their relative assets, then redemption may be permitted at such jumma. Should the proportion of the puttee's assessment, on the contrary, be found to be inadequate, a fair allotment of jumma upon the puttee will be made, which, when sanctioned by Government, will form the basis of calculation.

11. Where a regular partition is not made, redemption of the revenue of a puttee will not affect the position of the putteedar in the community. He will retain his privileges in the management of the village, and will be responsible as before for his share of the village expenses, and jointly responsible for any defalcation of revenue in the unredeemed portion of the village.

12. In imperfect putteedaree estates, where the division of lands is fixed and not liable to occasional or periodical alteration, the same course may be followed. In case of regular partition under the law the new mehal will, of course, be formed by the addition to it of its proper share of the undivided lands. Where partition does not take place, the puttee, including the putteedaree's share in the common lands, will, after redemption, be free from all demand on account of its own previous revenue, but will remain, as above explained, jointly responsible in respect of the rest of the village and its revenue.

13. In putteedaree, bhyachara and begah-dam villages, where the division of lands is liable to change, the entire mehal alone can be redeemed. The redemption of subordinate holdings, liable by the constitution of the village to vary from year to year, will not be allowed until the severalty of tenure becomes fixed and unalterable, either by partition under the law, or otherwise, when the property can be treated as in the case of ordinary putteedaree estates.

14. In all cases in which anything less than the entire mehal is redeemed, great care will be necessary in defining the exact limits of the land so redeemed, both by map and by permanent boundary pillars.

15. "Such tenures," the Viceroy and Governor General in Council has remarked, "will require peculiar care in dealing with them; but provided that suitable and sufficient precautions be taken, there is no reason why those who hold them should be excluded from the benefits of the measure."

16. In nuzurana, talookdaree and oobaree tenures, and generally where a special settlement has been made, on individual or temporary considerations, expressly at a lower rate than the standard of settlement, the commutation of such revenue will not bar the Government, on the lapse or extinction of such special privilege, from imposing a demand equal to the additional jumma which it would otherwise have assessed had the privileged assessment not been commuted.

17. Subordinate tenures held on an exclusive proprietary title, such as resumed holdings settled with the ex-maafedar, may be redeemed at the amount of revenue assessed upon the same.

same. In such cases a payment of 10 per cent., more or less, has ordinarily been assigned to the zemindar; where this assignment has been made simply to cover the trouble and risk of collection, it will be added to the sum for which the redemption money is to be paid. If, on the other hand, this payment was in recognition or compensation for the zemindar's proprietary title, it will not be so calculated; but the subordinate holder will continue to be responsible for the same to the zemindar. In any case of doubt as to the application of this rule reference will be made for instructions.

18. Where the estate, the land revenue of which is sought to be redeemed, is bounded by a river, if there is any probability of land being gained by alluvion, on receipt of the application for redemption, the river boundary should be clearly demarcated, and any alluvion which might subsequently be formed should be declared liable to assessment. The applicant should be allowed the option of separating the portion of his estate not subject to fluvial action from the portion which is so subject, and of redeeming the former only.

19. *Third,—The effect of redemption.*

20. The effect of redemption of the land revenue of any estate is simply to relieve the malgoozar for ever from any demand by Government for land revenue on account of such estate. It does not in any other respect alter his position or liabilities either to Government or third parties. No stronger right of property, either as regards collateral claims or subordinate tenures, than existed before, is created by the redemption of the land revenue.

21. But a careful register must be maintained of all redeemed properties, and it is proposed to enact by law "that no transfer of property in such estates shall be recognised by our courts or fiscal officers unless duly registered." A separate register will be kept up in English and Persian of all redeemed estates which may be termed in the vernacular, "*Maafee Khareed Zemindar*."

Paragraph 55.

REGISTER of Estates the Land Revenue of which has been redeemed.

Pergunnah.	Mouzah.	Mehal.	Puttee (where a separate Puttee may have been Redeemed).	Former Land Revenue.	Price at which Redeemed.	Date of Redemption.	Name of Proprietor by whom Redeemed.	Subsequent changes of Proprietorship by Succession or Transfer duly Registered.	REMARKS.

22. A separate series of maps, showing the boundaries of all redeemed properties, will be kept up in correspondence with this register.

23. Redemption may be effected at any period of the year. Immediately on the full purchase money being paid up, the jumma of the estate will be struck out of the touzee, and in its place the words "*Maafee Khareed Zemindar*" will be inserted. No instalment of land revenue, falling due subsequently to the payment in full of the purchase money, will have effect; but any outstanding arrears should be realised before the commutation is carried into effect.

24. A report will be submitted every six months* of any sums which may have been realised in that period on account of the redemption of the land revenue in the following form:—

1st January and
1st July.

Pergunnah.	Name of Estate.	Name of Owner.	Jumma.	Amount of Redemption Money.	Date of Payment.

A copy of this statement is to be simultaneously submitted to the Deputy Auditor and Accountant General, in reference to paragraph 56 of the Resolution.

25. In the Annual Administration Report a memorandum will be given of the amount of revenue redeemed, and purchase money realised within the year, and of the total amount up to date. Appropriate remarks should be added on the class of proprietors who have redeemed their revenue, the pressure of the former Government demand in the estates redeemed, and the general effect of the measure.

26. Excepting release from further demand of land revenue, the existing obligations and responsibilities of the proprietor will remain unchanged. The maintenance of putwarees, and of the village police will continue as now, obligatory on the proprietor; and he will be responsible, as before, for such cesses as were engaged for at the settlement. These and all other legal cesses of the kind will continue to be paid as they now are. They cannot be redeemed.

27. Estates, the land revenue of which has been redeemed, shall be held liable to assessment for income tax under the same rules as are applicable to maafee and lakhiraj estates.

28. It only remains to direct attention to the present limit imposed on redemption of one-tenth of the land revenue of each district, which limit being reached, report is to be made to the Supreme Government; and likewise, to the fact that in districts under re-settlement the calculation is to be made on the assessment of the last settlement, that is of the settlement last effected, so long as the new assessment may not have been determined and given out at the date on which the application for redemption was received.

(No. 22.)

From *J. D. Sim*, Esq., Secretary to the Government of Fort St. George, to
W. Grey, Esq., Secretary to the Government of India, No. 241, dated the
8th February 1862.

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter, No. 2035, dated 7th October 1861, requesting his opinion "upon the advantages of a permanent settlement as applicable to the various districts of the Madras Presidency," and "as to the value of a legislative sanction for terms of years in districts in which his Excellency in Council may not consider the existing settlements of a character to be made permanent."

2. I am to premise that by a "permanent settlement" this Government understand the Governor General in Council to intend no more than fixing the land-tax in perpetuity, in other words to bar the Government in all time to come from increasing the assessment on all land brought under that settlement.

3. The words "permanent settlement" are, however, very generally applied to zemindary settlements under Regulation XXV. of 1802 of the Madras and Regulation I. of 1793 of the Bengal Code. To any extension of this mode of tenure in this Presidency the Government are wholly opposed, for, among other reasons, the weighty objection, that it alienates from the State all waste land. It is to this source that this Government look for a gradual increase in its land revenue, and it is essential that this source of future revenue should not be lost to the State.

4. This being understood, I am to explain briefly the present state of the land tenure in this Presidency under the prevailing ryotwary system, to which alone the proposals contained in your letter are applicable.

5. This mode of administration was introduced in 1792 by Colonel Read; and was subsequently worked out by Sir Thomas Munro. In 1812, the Home Government ordered it to be generally introduced, and it has since formed the prevalent tenure of this Presidency, the revenue derived from zemindaries being in round numbers half a million sterling, while that drawn from ryotwary estates is three and a half millions.

6. There can be no question that one fundamental principal of the ryotwary system is that the Government demand on the land is fixed for ever.

7. When first settling the Salem district in 1796, Colonel Read issued a proclamation to the ryots, in which the following rule appears:—

"The putkut nelli (or holding) being measured and valued, the assessment of every individual field in it, when at the full rate, is *fixed for ever*, that is to say, the Government is *never* to require more or receive less, nor you to pay less or more than the present rate, unless when those fields actually 'dry' shall hereafter be converted into wet at the expense of Government, when the rates will be proportionably raised, according to the consequent increase of the produce, and in like manner *fixed for ever*. But if you carry on such works at your own expense, plant topes, &c., you may depend on receiving the advantages

advantages accruing from these and from every other improvement of your lands, while you continue to pay the established rates ; those constituting, except in the case above mentioned, the annual demand upon them on the part of the *circular for ever*. Upon these principles you may rent out lands, which you may raise in value by tillage and manure, at rates greatly exceeding the *circular* rates, if there be a demand for them, while you will continue to pay the fixed rates to the *circular for ever*."

8. Similarly in 1802, Sir Thomas Munro, when issuing instructions to the Collectors of the Ceded Districts, expressed himself as follows:—"When a country has been surveyed, the individual (ryotwary) supersedes both the village and district settlement. The rent of every field being fixed, each cultivator takes or rejects what he pleases, and the rents of all the fields occupied in the course of the year in any one village form what is called the settlement of that village." Again, in 1806, when explaining the manner in which a ryotwary settlement was conducted, he says:—"When a district has been surveyed, and the rent of every field permanently fixed, the *kulwar* (individual) settlement becomes extremely simple; for all that is required is to ascertain what fields are occupied by each ryot, and to enter them with the fixed rents attached to them in his *potta*: their aggregate constitutes his rent for the year. *He cannot be called upon for more*: but he may obtain an abatement in case of poverty or extraordinary losses. He has the advantage of knowing in the beginning of the season, when he ploughs his land, the exact amount of what he is to pay; he knows the fixed rents of the different fields which he cultivates, and that the demand upon him cannot exceed their total amount; *he knows the utmost limit of his rent not only for the present, but for every succeeding year; for it cannot be raised unless he takes additional land*; and he is thereby the better enabled to provide for the regular discharge of his kists, and against the losses of bad by the profits of good seasons." In 1818, the Board of Revenue issued detailed instructions for the general introduction of ryotwar as ordered by the Home Government. One of the distinguishing characteristics of the system they said was, "that the assessment was a permanent maximum rent fixed on each field."

9. At a later period, the permanency of the ryotwary settlement has, on several occasions, been acknowledged in unmistakeable terms.

10. In the Madras Administration Report of 1855-56, ryotwary is thus explained:—"Under the ryotwary system every registered holder of land is recognised as its proprietor and pays direct to Government. He is at liberty to sub-let his property, or to transfer it by gift, sale, or mortgage. He cannot be ejected by Government so long as he pays the *fixed* assessment, and has the option annually of increasing or diminishing his holding, or of entirely abandoning it. In unfavourable seasons remissions of assessment are granted for entire or partial loss of produce. The assessment is fixed in money, and does not vary from year to year, except in those cases where water is drawn from a Government source of irrigation to convert dry land into wet, or one into two crop land, where an extra rent is paid to Government for the water so appropriated; nor is any addition made to the assessment for improvements effected at a ryot's own expense. The ryot, under this system, is virtually a proprietor on a simple and perfect title, and has all the benefits of a perpetual lease without its responsibilities, inasmuch as he can at any time throw up his lands, but cannot be ejected so long as he pays his dues: he receives assistance in difficult seasons, and is not responsible for the payment of his neighbours." A similar description of ryotwary was given to the House of Commons by the Home Government in 1857.*

11. The Revenue Board in 1857, in a report to Government on the new survey and settlement, wrote as follows:—"It may not here be out of place to notice that a general opinion prevails in England, that the Bombay Settlement for 30 years secures a far greater permanency of tenure to the landholder

* Return showing under what Tenures, and subject to what Land-tax, Lands are held under the several Presidencies of India (Mr. William Ewart); ordered, by the House of Commons, to be printed, 22d June 1857.

holder than the present ryotwary tenure of Madras. This is altogether an error, for a Madras ryot is able to retain his land *in perpetuity, without any increase of assessment*, as long as he continues to fulfil his engagements."

12. In the same year the Government, in a review of the Honourable Mr. Ricketts's report, expressed themselves thus strongly :--" The proprietary right of a ryot is perfect, and as long as he pays *the fixed assessment on his land*, he can be ousted by no one ; there is no principle of ryotwary management more fixed or better known than this, and the Government deny that any right can be more strong."

13. It is thus abundantly clear that the distinguishing feature of ryotwary is the limitation in perpetuity of the demand of the State on the land. The ryots have thus all the advantages of the zemindary tenure, while the State has a valuable reserve of waste land, whence, as cultivation extends, its resources will be augmented so as to meet the increasing demands on its finances which the progress of the country will entail : and in practice this leading principle of ryotwary has never been infringed. The assessments have, as in South Arcot, Bellary, Cuddapah, &c., been reduced, but in no instance have they ever been raised : nor in the recent pressure for money has so obvious a source as increasing the land-tax been even suggested as being open to the Government.

14. Had matters been left in this position, the Government would now have had merely to report that the ryotwary proprietors of this Presidency already possessed the advantages which the Governor General in Council appears willing to concede, although these were not secured to them under legislative sanction.

15. But in 1855, when the survey and settlement now in progress were introduced, an important modification was made in the tenure of land.

16. The object of these operations was to revise the assessments, which were generally too high. In order to give the ryot in all cases a valuable proprietary interest in the soil, and to induce extended cultivation, 30 per cent. of the gross produce, carefully computed in the manner prescribed, was to be " taken as the *maximum of the Government demand*," and it was thought that 25 per cent. would be the average. The Government were of opinion that the assessment should be fixed in grain for a term of 50 years, and that the commuted value of the latter should be periodically adjusted every seven or ten years, according to its average money value in those periods. The Home Government objected to this arrangement, and gave the preference to an assessment in money, unalterable for 30 years. The subject was further discussed by the Government, who ultimately decided that the assessment should be revised after 50 years, if then deemed expedient. This decision, however, has not as yet been authoritatively intimated to the people.

17. It will thus be seen that, while the leading characteristic of ryotwary tenure is the permanency of the assessment, the revised assessments now being introduced are subject to revision after 50 years.

18. The alternatives proposed in your letter under reply have received the careful consideration of Government, and I am to state briefly the conclusions at which they have arrived.

19. His Excellency the Governor is favourable to the imposition of a permanent grain-rent, but would reserve to Government the power of periodically determining the money value of that rent, if at any future time a material alteration in the value of money should render such a measure expedient.

20. The Honourable Members of Council, on the other hand, support the old ryotwary principle of a permanent money assessment—that is to say, an assessment based on a certain portion of the crop, and converted into a money payment at a fair commutation rate, fixed once and for ever.

21. I am to request attention to the Minutes which accompany this letter, and contain the views of the President and Members of the Council.

22. The Government are not in favour of settlements under legislative sanction for terms of years. Such settlements would hamper the Government
without

without materially improving the position of the ryot; and it would be better, both for the State and the people, either that the settlements should be in perpetuity, or that the Government should have the power at any time of acting as the exigencies of the State may require. The Government would not alter the assessment, except under the pressure of necessity, and that necessity might occur in the course of the series of years fixed by law for the unalterable duration of the settlement.

(No. 23.)

MINUTE by the Honourable the *President*, dated 12 November 1861.

THE Governor General in Council having forwarded to this Government a copy of Colonel Baird Smith's report on the famine of last year in the Upper Provinces of the Bengal Presidency, has expressed a wish to be made acquainted with the opinion of the Governor in Council, on the subject of the advantages of a permanent settlement, as described in certain paragraphs of the above-mentioned report, as applicable to the various districts of the Madras territory.

2. I have, accordingly, read carefully the report in question, and will now proceed to give my opinion of the various proposals submitted by Colonel Smith with relation to the permanency of the Government assessment, and, as coupled with this, the right of redeeming this, by the payment of a sum equivalent to a certain number of years' purchase of the annual assessment.

3. I am disposed to agree with Colonel Baird Smith in many of the inferences which he has drawn from the facts brought under his notice. He has, however, looked at the question with reference, principally, to the effects which the measures proposed by him may, possibly, have on the condition of the agricultural population; while I, in my capacity of Governor, must take a broader and more general view of the action of the changes proposed. I must consider the effect produced not upon one district only, but upon the Presidency at large, and I must especially consider the effect which, if Colonel Baird Smith's views are carried out, will be produced on the revenue; for upon the certainty and due development of this must the maintenance of our power in India mainly depend.

4. With reference, then, to the first suggestion made by Colonel Baird Smith, that a settlement of the claims of the Government upon the land should be perpetual, I would observe that, before any such settlement could be made, it would be necessary that the Government should decide, once for all, what proportion the assessment or rent should bear to the produce of the land, either gross or nett. Having settled this point, it would be necessary to ascertain whether the existing claims upon the ryots are based upon this proportion.

5. If, without the establishment of these preliminary data, the Government were to determine at once that the existing demand upon the ryot should be made permanent, much injustice would be done to individuals, which would, as a matter of course, be redressed; while much would be done to the Government, which represents the mass of the community, which would never be noticed or redressed.

6. Assuming, however, that all these preliminary steps have been taken, and that the assessment on the ryot is fair and reasonable, there is yet an important point to consider, one indeed most important with relation to the proposed perpetual settlement—and that is, in what commodity shall this rent or assessment be payable, or in other words, shall the tenant or ryot pay a corn or a money rent?

7. In paragraph 64 of his report, Colonel Baird Smith talks of the rent as the portion of the nett produce hitherto appropriated as Government revenue, which he puts at 50 per cent. of the *nett* produce; but in discussing the question of fixity of public demand, he evidently applies this fixity not to the proportion of the crop, or its estimated amount in measures or weight of grain, but to the existing money value, which, looking to the very marked change which has taken place in the value of money during the last few years, represents a much smaller proportion of the crop. The effect of adopting the existing money value of the crop as the basis of the perpetual settlement would be to place the tenant in a position to which he has no claim. I assume that a revision has been made of the assessment—that everything has been done which could be expected from the best landlord; under such circumstances, the tenant can have no right to the collateral advantages which spring out of the gradual cheapening of money, or the alteration of the relation existing between it and produce of various kinds.

8. This is the landlord's fair due, and, indeed, it is the only means by which he can manage to escape the difficulties arising out of the fixed character of the payments made to him, and the ever-varying but steadily-increasing price of labour and other commodities.

9. In the case of a Government, this would be remedied by the imposition of fresh taxes;

taxes; but this would, in point of fact, be equivalent to a system of protection—that is, one portion of the community would be bettered at the expense of the remainder.

10. I do not wish to enter into the question of the relative advantages of direct or indirect taxation generally: I would only observe that, with reference to India, it would be most unwise to sacrifice the revenue arising from a source so well established and so well understood by the people of India as that of a land or produce assessment, upon the supposition that it may be possible to supply the deficit from other sources. While, then, I should not object to a reduction in the proportion of the crop taken as rent, to such an amount as would leave to the ryot a fair return for his labour and his capital, and while I should not object to make this proportion a perpetual charge on the land, I should altogether object to a proposal to place a money value upon this proportion of the crop at existing prices, and to make this money value the measure of the rent or assessment to be paid from henceforward.

11. According to Colonel Baird Smith, the power to redeem the rent or assessment is a natural and legitimate sequence of a permanent settlement. I cannot see that this connection is necessary, but this is a point which need not be discussed. I might observe that, as I disapprove of a permanent monetary settlement, the question of redemption necessarily falls to the ground; but I am desirous of recording my opinion as adverse to the scheme on several independent grounds: indeed, I should object to it even were I inclined to admit the advantage of a permanent monetary assessment.

12. In the first place, I may observe, that the effect of inducing the occupiers of land to invest their capital in purchasing up the assessment is, in point of fact, to deprive them of the capital which they require to cultivate the land. It will be said, and indeed is constantly said, that in such matters men are the best judges of their own interests, and that, unless they expect or can calculate on certain positive advantages as likely to accrue from the expenditure of capital, they will not purchase. This, as all such statements are, is partially true. The man who is intelligent and educated, who knows the value of money, who is aware of the various profitable uses to which he may turn it, will of course reject that which, held out to him as a boon, would in fact inflict upon him, were he fool enough to avail himself of the offer, a severe injury. But there are many among Englishmen who attach an undue importance to the possession of land; they look to the acquisition of a freehold as conferring a degree of importance in a colony similar to what it does in England, and they are likely to be deluded into making a purchase which will hamper their operations for years. Colonel Baird Smith admits that few will take advantage of the offer; why then tempt them to do that which their common-sense tells them will be injurious? I say injurious, because, as the interest of money may be said to range as high as 10, 15, and 20 per cent., if the Government, by appealing to the vanity or weakness of a man's nature, leads him to content himself with 5 per cent., he has lost the difference between that and the higher rate of interest—that is, he has not made so profitable an investment of his capital as he might have done.

13. Colonel Baird Smith brings forward the fallacy, that it is a matter of indifference whether the Government receives the interest of its capital annually, or is paid the amount of the capital itself and has the responsibility of investing it. But, to say nothing of the well-established fact that the capital will be more productive if left in the hands of private individuals, a very limited acquaintance with the proceedings of Governments would have proved to him that there is nobody entrusted with authority which ought to be entrusted with the expenditure of its capital. The amount of what may be called interest, that is, the sum which can annually be drawn from the population, is limited; but if a Government is enabled to raise money by the sale of perpetuities for a few years' purchase, there would be no check upon, or limit to, its extravagance. Such a permission could not safely be given to a Government which is accountable to a Representative Assembly, much less ought it to be entrusted to one which is practically autocratic.

I therefore object to the proposal that the ryots, or generally the men who pay an annual assessment to the Government, should be allowed to purchase up that assessment for a certain number of years' purchase, on the grounds that it would be injurious to the payers as well as to the receivers of the assessment.

(signed) *W. Denison.*

(No. 24.)

MINUTE by the Honourable *E. Maltby*, dated 24 December 1861.

COLONEL BAIRD SMITH's proposed measure of making the land-tax permanent, and declaring it only liable to enhancement when Government supplies water by new works of irrigation, has long been the rule in the ryotwary districts of this Presidency, and has my cordial approval.

2. Our so-called annual settlements have led to an idea that the land-tax fluctuates, instead of being fixed; but this is an error. It is the charter of our ryots, and one which they dearly prize, that nothing can be demanded of them in excess of the established assessment, except when irrigation is newly supplied. This most valuable principle has produced

produced all the advantages depicted by Colonel Baird Smith (in paragraph 60 and succeeding portions of his second report), in those of our districts which are favoured with a moderate assessment, such as Canara, Malabar, Tanjore, Cuddapah, &c., and it has given vitality to our ryotwary system in those districts where, notwithstanding the soundness of its principle, it nearly broke down under the grievous disadvantages of an unduly high assessment—cumbersome rules of detail leading to interference and annoyance on the part of the inferior revenue servants and imperfect land registers.

3. The annual settlements of the land revenue in this Presidency have not, therefore, been held for the purpose of fixing or altering the assessment, but to determine what sum was to be paid to Government by each cultivator for the current year, after ascertaining the extent of land in his occupancy, and his ability to pay the full assessment upon it. In consequence of over-assessment, lands were continually thrown up after a brief occupation, and remissions had to be given when produce was deficient, or prices were low. Hence these annual settlements used to be a long and laborious business, but they have already been greatly shortened by the progress made in modifying the assessment, and rectifying the details of our ryotwary system; and soon they will become a mere formal matter of account, as in Canara and Malabar, where a light as well as a fixed assessment has given land such value, that it continues in permanent cultivation, and the full assessment due upon it is collected with punctual regularity.

4. The rule which establishes the fixity of the assessment, or, in other words, declares that the established assessment forms the maximum demand against the landowner, is found throughout the records* of our administration. It is contained in the Hookamnamahs, or Rules for the guidance of Collectors, published with the sanction of Government; and supposed infringements of it have formed a ground of action in the civil courts.

5. It was also lately quoted† as an insuperable bar to imposing a special duty on the growth of tobacco in this Presidency, when that measure was proposed by the Supreme Government.

6. So likewise, in the papers connected with the introduction of the present Revenue Survey, the long-established principle that a ryot is entitled to hold his land *so long as* he pays the assessment on it, and that the Government cannot oust him to give the land to another, was freely acknowledged.‡ Consequently, no increase to the revenues of the State was looked for under the survey by any enhancement of the present rates of assessment. On the contrary, Government declared its expectation, that the rate of assessment on a given area of land after the survey would be lower than it is now, and only anticipated an increase to its resources from other causes—viz. the discovery of fraudulent measurements, improper alienations to Inámdárs, and concealed cultivation, but more especially from a great extent of waste land being taken into permanent occupancy, when the present high assessment was universally modified, and boundaries and titles were made clear.

7. The only point upon which any doubt has been felt in declaring the new Survey Assessment permanent, as a maximum demand, is connected with the price of grain. The new assessment is based, like the old one, on a certain portion of the assumed grain produce, converted into a money-payment on the average § prices of several preceding years. A question then arose, whether this assessment was to be considered unalterable, or was to be revised at short intervals as prices rose or fell. Government inclined to the latter arrangement, and expected to overcome the difficulty of ascertaining the real fluctuations of price by the establishment of public markets.¶ The Revenue Board, however, pointed out difficulties, and recommended a fixed settlement for not less than 30 years. I am myself strongly in favour of a permanent assessment for the following reasons:—

(I.) Experience has clearly shown that the great essentials to the prosperity of the ryots are a moderate and fixed assessment, security of possession, and freedom from all interference or annoyance on the part of the native revenue servants, by declaring that so long as they pay a known demand, and no more, they cannot be molested. This end will not be attained if fluctuations of price can enhance the Government demand, especially when the means of ascertaining those fluctuations are so imperfect.

(II.) It has not yet been found practicable to establish public markets for the purpose of ascertaining the correct prices of grain, and, in addition to the obstacles pointed out by the Revenue Board on this head, a new instance of the difficulty may be cited. In Tanjore and Tinnevely, under the Ooloongoo system, the assessment payable in each year depended on the price of grain; but the evils attendant on such a system have very recently led to its discontinuance. When abolishing the Ooloongoo and substituting a fixed commutation rate founded on the average of several years, Government observed:—

“The principle of a grain-rent, annually commutable at the market price of the year, has at first sight a strong appearance of equity. But in practice it has been found, even in more advanced

‡ Revenue Survey Volume, page 17, paragraph 28.
Ditto page 240, paragraph 13.

Same volume, page 455, paragraph 17.

§ In some places this average was struck on the prices of several kinds of grain.

¶ Revenue Survey Volume, pp. 238, 239, 437, and 438.

* For some early instances on the introduction of the ryotwary system, see Appendix to this Minute.

† Revenue letter to Government of India, 11th June 1859, No. 774, enclosing letter from Board of Revenue, dated 21st April 1859, No. 1439.

‡ At present the question stands thus: In Extract Minutes of Consultation, 15th February 1858, No. 191, paragraph 38, Government ordered it to be notified that the assessment will be revised after 50 years, if then deemed expedient.—Revenue Survey Volume, page 464.

Government Order,
22d July 1859, No.
979, paragraph 4.

advanced countries, that the tendency of such a system is to diminish the independence of the tenant, and with it his steady industry. In this country, where the sources of information as to price are so greatly inferior, the effect is, in addition, to lead to *extensive fraud and corruption.*"*

(iii.) If fluctuations of price are to affect the assessment, then the demand on the ryots will have to be increased in a year when the price of grain rises, and this operation would be always difficult and productive of heart burning and mistrust. Even when a rise of price was beyond dispute, the ryots could justly urge, in most cases, that it was owing to *short crops*. If the assessment remains unaltered, one of these two elements of variation counteracts the other; but as the wise principle has been laid down that no remissions are to be given for short produce under the new and modified assessment, an additional burden would be virtually placed upon the landowners at a time when they are least prepared for it, if an increase in the price of grain is to raise the assessment.

Revenue Survey
Volume, page 17,
paragraph 28.

Revenue Survey
Volume, pages 8
and 9, paragraphs 13
and 14.

(iv.) The evils of our annual settlements have been so great in leading to uncertainty, corrupt interference on the part of the táluk servants, and fraudulent practices, that it is the great object of the survey to get rid of them, by fixing such a moderate assessment as can be paid in all ordinary years. The new assessment is not to be a rent which swallows up the surplus produce after paying the wages of labour and the profits of the agricultural stock employed, but a land-tax, which is to leave a surplus or rent to the proprietor. Exact accuracy is, therefore, declared immaterial in classifying the land and calculating the produce, and the same reasoning urges the fixing of a moderate commutation rate once for all: else the same necessity will continue for periodical settlements, with their uncertainty and evils, and we shall have all those corrupt practices in fixing the price of grain in different ranges of villages, which have just been swept away by the abolition of the Oolooogoo in Tanjore and Tinnevely.

8. These arguments tell most strongly against allowing the assessment to fluctuate, *annually* or at short periods, with the price of grain; but they seem to me also to have much force against an arrangement for re-adjusting the assessment, in reference to the state of the markets at distant intervals of time. Unless the assessment is declared permanent an equal degree of confidence will not be felt, and in consequence capital will not flow as abundantly to the land, and land will not attain the same saleable value. It will also be impracticable to allow the redemption of the land-tax, should that measure be considered advantageous to the State, nor could the Inám question have been satisfactorily settled by the issue of permanent titles to the holders of enfranchised Inám on the payment of a portion of the old assessment, if this obstacle had been allowed to intervene. The importance of this last consideration will be evident when the immense* extent of the Inám lands is recollected; and as no question regarding the fluctuations of price prevented a permanent settlement being made with them, I trust that the same course will be followed with the other lands of the Presidency.

9. I express this hope on a full conviction that a moderate land-tax, fixed once and for ever, is the surest method of promoting the interests both of the Government and the landholders. The encouragement thus given to enlarged agricultural operations, the additions to other sources of revenue which must follow a more extensive and profitable cultivation of the land, and the economy practicable in establishments under a simple system of administration, would, I believe, more than equal any increase in the land revenue which Government can expect from a rise in the price of grain. On the other hand, too, a permanent assessment is such a boon that, so long as any profit remained, the landowners would bear fluctuations of price below the commutation rate, nor would they in their prosperity be beyond the reach of additional taxation, should pressing occasion arise. An income-tax which includes incomes derived from rent is now in temporary operation, though it is to be hoped that the need of it will soon pass away. [Since writing these remarks, I have found the course proposed by me strongly advocated in an elaborate Despatch from this Government to the Honourable the Court of Directors, dated 5th March 1813, when the ryotwary system was under consideration, and I would invite attention to paragraphs 130 to 135. The Government observed—"The object which is difficult of attainment, and which requires the first attention is *the augmentation of the general wealth of the country*. It will be always easy, we conceive, to devise means of drawing a due proportion of that wealth as it increases into the public treasury;" and then they argued, most justly in my opinion, that a *fixed* assessment is the mainspring of agricultural enterprise and wealth.] I am thus strongly in favour of a permanent assessment, and by parity of reasoning should prefer a settlement for a term of years to annual settlements.

10. I do not enter into the question of redeeming the land-tax, since the opinion of this Government is not called for on that point in Mr. Secretary Grey's letter, now under notice.

(signed) *E. Maltby.*

* + MEMO.—A statement obtained by me from the Revenue Board shows that the Inám lands equal nearly one-fourth of the assessed area. They comprise six millions of acres, while the assessed area amounts to 26 millions.

APPENDIX.

In a Revenue Despatch to Bengal, dated 29th January 1813, the Honourable Court of Directors observe, in paragraph 34:—"Hence it was also that the survey rents in the Ceded Districts, and indeed in most of the other collectorships in the Peninsula, where the ryotwary system had been carried into effect, constituted *the maximum* of annual rent to which the cultivator was liable."

2. The Madras Government, in their Revenue letter to the Court of Directors, dated 12th August 1814, when replying to the Court's orders to carry out a *permanent* ryotwary settlement, state in paragraph 6:—

"Independently of the general interest excited by the character of its author (Colonel Munro), his paper, dated 15th August 1807, claims notice as containing the only project of a ryotwar permanent settlement. To that paper your Honourable Court's Despatch makes a marked reference, and we accordingly feel ourselves at liberty to regard the project which it contains as the *Permanent Settlement* which your Honourable Court would wish to introduce. In speaking of the ryotwar system we, therefore, beg for the sake of accuracy to be understood to mean the system recommended in Colonel Munro's letter of 15th August 1807."

3. In the Revenue Board's elaborate Minute of 5th January 1818, on the land tenures of this Presidency, a comparison is thus drawn (in paragraph 140) between the zemindary and ryotwary settlement:—

"The grand difference between this system and the permanent zemindary settlements, was that engagements for the revenue were entered into by Government with each individual ryot, instead of with an intermediate hereditary zemindar * * *. The assessment was a *permanent maximum* assessment fixed on each field."

(No. 25.)

MINUTE by the Honourable *W. Morehead*, dated 5 January 1862.

THE only answer that can be made by this Government to the letter addressed to it by Mr. Secretary Grey, must be to the effect that no change of tenure is called for. As under the ryotwary system the lands are made over in perpetuity to the ryots; the ryot is to all intents and purposes the proprietor of the land: he can sub-let it, and transfer it by gift, sale, or mortgage; and so long as he pays the *fixed* assessment on it, he cannot be ejected by the Government. No better title, or one more secure, can be given. That it is felt to be secure is practically proved by the fact that ryots without hesitation dig wells and effect other expensive improvements, satisfied, under the existing revenue rules, that their permanency of title is secure.

2. The difficulties which our ryots have had to meet have been confined to the high rates of assessment, and to the evils consequent thereon. These, however, have been almost entirely removed, and with the introduction of lower assessments, the cultivators of this Presidency are now placed in such a position as to be without any legitimate subject of complaint, and to cause their earnest prayer to be that they may be left in the undisturbed enjoyment of their present privileges.

3. In the remarks made by Mr. Maltby as to the assessment being a final one, and in the wisdom of declaring the money rate a permanent one, I quite concur. I am satisfied that the assessment was intended by Sir T. Munro to be a final one. As such it has been adopted by Government.

(signed) *W. Morehead.*

(No. 26.)

MINUTE by the Honourable Sir *H. B. E. Frere*, dated 3 March 1862.

I THINK Mr. Maltby's is the sound view, and would strongly urge its sanction by the Secretary of State, with instructions to give legislative force to the limitation of Madras land-tax to the rates now fixed by Lord Harris's survey and assessment.

2. The Governor's arguments in favour of grain-rates, and a revision 50 years hence, would be of force if they were not outweighed by the reasons for certainty and fixity of demand in all dealings between Government and the cultivator in this country, and by the absence of any necessity for providing for greater fluctuations in the price of grain, and in the value of the precious metals, than have taken place during the past 200 years.

3. I would, in writing to the Secretary of State, briefly recapitulate Mr. Maltby's arguments.

(signed) *H. B. E. Frere.*

(No. 27.)

MINUTE by His Excellency the Governor General, dated 8 March 1862.

I WOULD write in the sense suggested by Sir Bartle Frere, and insist strongly on the inadequacy of the object for which Sir W. Denison desires a fluctuating assessment.

(signed) Canning.

(No. 28.)

MINUTE by the Honourable Cecil Beadon, dated 13 March 1862.

I ENTIRELY agree in Mr. Maltby's recommendation as far as it goes; but, in my opinion, it does not go nearly far enough.

The principles for which we ought, I think, to contend in bringing about a permanent settlement of the land revenue for all India are the following:—

1st.—That all persons paying land revenue direct to the Government, whether they be ryots or whether they be zemindars, when once their lands have been surveyed and fairly assessed, are entitled to hold them at a fixed jumma for ever

By a fair assessment, I mean not only a fair and moderate assessment as regards the share of the actual rental to be taken by the Government, but an assessment comprising at least a certain proportion of the culturable lands of a village. I would not give a permanent settlement to a village of which less than one-half of the culturable lands are under cultivation and assessed at fair rates, and perhaps it may be expedient to require a larger proportion, say two-thirds or three-fourths. But I would certainly give a permanent settlement to every village of which three-fourths of the culturable lands are cultivated and assessed; and I would do this upon the avowed and broad principle, that the Government desires to limit its demand on account of land revenue, and to give an ample margin for the accumulation of wealth by improvement on the value of landed property.

2d.—That upon all persons paying land revenue direct to the Government, who do not already possess a full heritable and transferable right in the soil, such a right should be expressly and distinctly conferred.

3d.—That in villages under ryotwary settlement—where the Government is the only real proprietor of the soil, and where each ryot has nothing more than a heritable and transferable right of occupancy in the lands he cultivates and pays revenue for, the lands not so occupied being at the entire disposal of Government—if the quantity of occupied land exceeds a certain proportion of the culturable lands of the whole village (at least one-half, or perhaps as much as three-fourths), the Government should give up its proprietary right in the whole village and divide the unoccupied lands among the occupant ryots on fair proportions, conferring upon each ryot a full proprietary right on the whole of his share, including occupied and unoccupied lands, subject to a fixed jumma for ever, equal to the amount assessed at the last settlement on the lands then actually in occupation.

4th.—That as an alternative of the last-mentioned course, to be adopted where, as in Bengal, there is no objection felt either by the ryots or by the Government to the creation of a zemindaree tenure intermediate between the Government and the ryots, the proprietary right of Government in the whole village, bearing the jumma assessed on it at the last settlement, should be put up to auction and sold to the highest bidder, the purchaser receiving a full proprietary right in the soil of the whole village, but all rights of occupancy under the Government being carefully reserved.

This is the course now being actually taken with the Government estates in Bengal; and though it has many advantages, I apprehend the objections felt by the authorities in Madras and Bombay to its adoption in those Presidencies would be found to be nearly insuperable.

I cannot agree with the Government of Madras in thinking that the tenure of the ryot in that Presidency, even if the revised rate of assessment be declared fixed

fixed for ever, is anything like a permanent hereditary and transferable proprietary right in the soil such as we desire to give him. Though he is not subject to an annual settlement such as would alter his *rates* of assessment with reference to the price of grain, or any other disturbing cause, he *is* subject to an annual settlement to ascertain the quantity of land he has in occupation, and his jumma is increased or diminished according as he has taken more lands into cultivation or thrown up a portion of those which he occupied the year before. It is true that he enjoys what the Government of Madras considers the great advantage, but what appears to me to be a very doubtful advantage, of being able to throw up, and cease to pay revenue for such lands as it is not convenient to him to continue to cultivate, being compelled, at the same time, to relinquish all right of occupancy in them, and enabling the Government to dispose of them as it pleases; but, on the other hand, no ryot can increase the quantity of land in his occupation without having at once to pay the full rate of assessment upon the newly occupied lands, even though they may not at first yield him a profitable return. Such a tenure as this bears no resemblance to the proprietary right in the soil over a certain and defined area subject to a fixed jumma in perpetuity, nor can it be said that it offers any adequate encouragement to the improvement of the land. I feel perfectly satisfied that in Madras and Bombay, no less than in the Presidency of Bengal, the Government would do most wisely to confer a full proprietary right in the whole soil, wherever it is now vested in the Government, upon those who have the deepest and most direct interest in improving the land and developing its resources, and to limit its demand on account of land revenue to a fixed sum in perpetuity in every village in which a reasonable proportion of the lands have been brought under cultivation and assessment, relinquishing in such villages its proprietary right to the waste or uncultivated lands as well as to those in occupation, and leaving all the benefit, arising from the future reclamation of such lands, to be enjoyed by the persons upon whom the proprietary right is conferred.

In this way, without making any undue sacrifice of its land revenue, which even now perhaps forms more than a fair or safe proportion of the imperial income, we should confer upon the whole of India the inestimable boon of a fixed settlement, fraught with all the advantages which Bengal has derived from Lord Cornwallis's settlement, but free from its defects; we should give to every occupant of land the most powerful inducement that human nature knows to increase the value of his property, and we should lay the foundation of great, and even increasing prosperity, giving wealth and contentment to the people, and security and financial ease to the Government.

(signed) Cecil Beadon.

(No. 29.)

MINUTE by the Honourable *S. Laing*, dated 7 April 1862.

THESE papers have now for the first time reached me. I agree with Mr. Beadon that they really raise the whole important question of giving permanency to land tenures throughout India, as, although the circumstances of Madras are in some respects special, we can hardly deal with them satisfactorily without having made up our minds as to the general policy to be pursued in regard to this, the most important of all Indian questions.

I concur generally with Mr. Beadon's views.

We may, I think, begin by setting aside any idea of a grain settlement as a general measure.

There is no grain which, like wheat in England, affords a tolerably uniform and accurate measure of the value of "money," as measured in "commodities."

Wheat does so in England very imperfectly, for a thousand different causes affect the range of price over a long period, as well as the mere supply of the precious metals.

But in India, one district consumes wheat, another rice, another dholl, or some of the many forms of pulse, of which we hardly know the names, and the accidents of a wet or dry season, the want of communications throughout such a vast country, and other circumstances, cause enormous fluctuations, often of

hundreds per cent., in the market price of grain between one year or district and another.

I am satisfied, therefore, that Mr. Maltby is quite right in saying, that any form of grain rent would utterly fail to give that security which is the great object of having a settlement at all; and that a fixed money rent, even for a comparatively short period, would be preferable.

Practically, I consider the question lies between giving a fixed money settlement for a long term, or in perpetuity.

If I incline to the latter, it is not from overlooking the really strong arguments that may be adduced for a periodical settlement.

Practically, the State, as the landlord in most parts of India (except Bengal), and the land tax, is only rent under another name.

I have no doubt also, that the tendency of rent in India is towards rapid rise.

If the English Empire in India lasts for 20 years, I feel certain that the value of land, the efficiency of labour, the saleable produce per acre, everything in short that constitutes the natural rate of rent, will have more than doubled.

On the other hand, the money rate of wages and of money commodities will have risen, so that the necessary expenditure of the State will have increased.

Why then, it may be said, give up, as a gratuitous gift to persons who have no claim to it, that progressive increase in the natural rate of rent, which would enable Government to meet increased expenditure with diminished taxation?

As a mere money question, I am by no means sure that it is desirable to go beyond 20 or 30 years' settlements.

Taking the case of Bengal, which has had a permanent settlement since Lord Cornwallis's time, or for years, it is not true that the increase of indirect taxation has yet made up for the loss of land revenue.

If we compare Bengal with Madras, the one being the type of the system under which the State has parted with its rights in perpetuity for the sake of creating a class of independent landed proprietors, the other where it has suppressed all intermediate rights and dealt directly with the individual peasant-occupiers, I find the following results:—

The population of Bengal is in round numbers double of that of Madras, or 40,000,000 to 20,000,000. From the Bengal revenue should be deducted, for the purpose of a fair comparison—

1st. Opium, which is the happy accident of a tax paid by China, and not a tax paid by Bengal;

2d. One-third of the Customs' duties which are received in Calcutta on imports and exports, not of Bengal, but of the North West.

I deduct also, in each case, tributes paid by Native states, and similar sums of revenue which have nothing to do with the taxation of the two Presidencies.

Having done so, I find the following results from the estimates of the year 1861-62:—

	Bengal.	Madras.
Population - - - - -	40,852,397	23,127,855
	£.	£.
Land Revenue (including Sayer) - - -	4,080,000	4,105,000
Abkarry or Excise - - - - -	429,000	319,000
Assessed Taxes (Income Tax, &c.) - - -	750,000	306,000
Customs - - - - -	750,000	246,000
Salt - - - - -	2,760,000	850,000
Stamps - - - - -	516,000	171,000
Post Office (including Service Postage) - - -	118,000	53,000
All other Receipts - - - - -	290,000	57,000
Total Revenue - - -	9,673,000	6,107,000
	s. d.	s. d.
Per head per annum of population—Land - - -	2 -	3 7
Other Taxes - - - - -	2 9	1 9
TOTAL - - -	4 9	5 4

Moreover,

Moreover, the revenue of Madras is increasing more rapidly than that of Bengal.

The land revenue of Madras has risen in five years from 3,380,000 *l.* to 4,105,000 *l.*, concurrently with a considerable reduction of assessments and relief to the cultivators, owing to the extension of cultivation; while, in Bengal, no corresponding advance has taken place, although the extension of cultivation and improvement in the value of land has been probably quite as great.

As a mere money question, therefore, I think it almost certain that, by retaining the position of landlords of a rapidly improving estate, we should find ourselves richer 20 or 30 years hence, than if we give up "rent" for "free duty."

Nor am I sure, that in a good many cases, the position of the actual cultivator of the soil might not be better under a liberal landlord like the Government, giving long leases on moderate terms, than under an intermediate landlord.

Such difficulties, as are now beginning to be felt in Bengal, must inevitably arise between zemindar and ryot everywhere, as the natural or intrinsic "rent" of land arises.

Is the zemindar to benefit by it as "landowner" in the English sense of the word, or is the ryot to be considered as the owner of the soil, subject to a free duty to the zemindar, fixed once for all at the time of the settlement?

At present nothing can be more indefinite than the position of these parties, and no means are provided for arriving at a solution in any other way than by what I can only call a social war in the law courts, terminating in some practical compromise arising from mutual exhaustion.

This is the course things are taking in several districts of Bengal. It may have been accelerated by imprudent legislation in Act X. of 1859, and injudicious action on the part of local authorities with regard to indigo; but it is inevitable that great difficulties and social changes must result from a state of things which creates a large prize to be contended for, viz., enhanced value of land, and leaves it uncertain to whom and in what proportions that prize belongs.

Even if we could succeed in protecting the interests of the existing revenue-paying ryots, the establishment of a fixed tenure of land must tend to bring an increasing mass of the population into the condition of ordinary rent-paying tenants or hired labourers, as the ryots who are made freeholders would by degrees sell or sub-let. Notwithstanding these objections I am, however, favourable to the general principle of permanent assessment.

We do not exist as a Government merely to get the largest revenue we can out of the country, or even to keep the mass of the people in a state of uniform dead level, though it should be a tolerably happy and contented one, as a peasant tenantry under a paternal Government.

If we give a permanent settlement, as Mr. Beadon proposes, we lay the foundation for a state of society, not perhaps so easily managed, but far more varied and richer in elements of civilization and progress. We shall have gradations of society from the native noblemen of large territorial possessions down through the country gentleman of landed estate, to the independent yeoman, the small peasant proprietor, the large tenant with skill and capital on a long lease, the small tenant on a lease, the tenant-at-will, and the day labourer.

In some districts one class will preponderate, in others, a different one; and, on the whole, I do not doubt that, although there may be more hardships, inequalities and collisions, there will be more life, activity, and progress, than there ever could be where the Government was all in all.

If the Crown in England had kept the fee-simple of all lands forfeited by successive civil wars or seized from the Church, there might have been a revenue which would have gone far to carry on the Government without taxes, but would England ever have been the country it is?

If we have any business at all in the East, it is to try and found something better than the old approved pattern of Oriental despotisms, and to give India the chance, at least, of becoming a great, independent, and intelligent community.

Nor do I see any reason to fear the effect on revenue.

It may be true that we shall not get so much revenue as if we had kept

the increase of rent in our own hands, at any rate for the next 20 or 30 years, while it is almost certain to be rapidly increasing.

But I have no fear of our being able to get revenue enough, provided certain conditions are observed in regard to our land settlement, and I am by no means sure that it is desirable that a Government should appropriate a larger share of the income of a country, or get money more easily, than is really essential to meet the proper objects of a Government.

The conditions I look to as essential in a permanent settlement are—

1st. That we should not throw away the culturable but uncultivated lands.

2d. That we should provide for the land bearing its fair share of local burdens.

As regards the first point, Mr. Beadon suggests, what seems to me a very proper limitation, viz., that a permanent settlement should only be given where a large proportion of the culturable land of the district has been brought into cultivation.

The general practice is to assess cultivated land at a fair moderate rate, and culturable, but uncultivated land, at another and much lower rate.

Now I have no objection to fix what is now a fair rent for land in cultivation, as a permanent rate, and take my chance of getting back by indirect taxation whatever revenue I may want owing to a general alteration of money-value arising from the general growth of wealth and prosperity. But I do not think the State should give away for next to nothing any considerable mass of land of fair quality, which it is morally certain that a few years of good government and improved communications will bring into cultivation.

There should, therefore, be some stipulation that, either as Mr. Beadon suggests, three-fourths of the culturable waste should be cultivated before a perpetual settlement is given; or else, that it shall pay as it is brought in at a fixed rate higher than is now paid for it as uncultivated, though lower, perhaps, than the full permanent rate on the old cultivated lands.

With this condition, the land revenue would still continue in most parts of India to be a buoyant one, and a perpetual settlement would even tend in many instances to increase its buoyancy by accelerating the extension of cultivation.

I do not allude to the cases where the Government does something which directly enhances the value of land, as bringing water to it by a canal, as it is a necessary part of all plans of permanent settlement that provision be made for taking a fair price for such advantage in the form of water rate or otherwise.

Secondly. I consider it even more essential that, in any permanent settlement, provision be made for throwing such local burdens on land, as are usually borne by land where the State is not the landlord.

In England land pays poor rates, highway rates, Church rates, police, and various other local rates, amounting in all to 12,000,000 *l.* or 15,000,000 *l.* a-year, and on the average to more than 10 per cent. of the gross income of real property.

Education also is supported in Scotland by a direct local tax on land, and in England very much by local contributions of landed proprietors.

If India is ever to have such appliances of civilization as plenty of good roads, schools, local police, &c., in every district, they must be supported by local rates, and these rates must fall mainly on land.

The perpetual settlement of Bengal is an instance, not of the impolicy of perpetual settlements generally (for, in spite of all defects, it has created a great mass of wealth, and kept the largest section of the empire attached to us throughout the mutiny), but of the impolicy of neglecting the two conditions I have specified.

If we had not thrown a vast extent of culturable waste into the bargain, without any equivalent, and if we had expressly reserved some adequate local taxation, Bengal would not have remained, to the present day, almost without roads, and with a police whose inefficiency for everything but evil was a by-word; and which a great part of the 4,000,000 *l.* a-year which the comparison with Madras clearly shows to have been sacrificed, might have been saved to the

the revenue; it is questionable whether the landowners themselves would not have been better off, as wealth would certainly have accumulated faster, but for the almost total absence of internal improvements.

As regards the practical mode of proceeding with regard to this important question of land tenure, I should think the first thing would be for his Excellency the Governor General in Council to consider maturely the general principles on which we are to proceed.

This being done, we should communicate with each Government separately as to the best mode of giving them effect under the particular circumstances of their territory.

If, for instance, the principles which Mr. Beadon and I have endeavoured to lay down were approved of, it would be necessary to point out to Madras the conditions which it appeared to us desirable to enforce, and consult them as to the details, which I do not think could be uniform for all India, having regard to the extreme diversity of tenure and other circumstances.

For instance, how the cultivation of waste land should be provided for? How benefit from Government works of irrigation should be paid for? How the principle of local taxation should be assisted without carrying its practice too far in the first instance? These are all questions upon which it would be imprudent to decide anything without the fullest communication with the local authorities.

This need not delay a general expression of our opinion to the Secretary of State and to the Madras Government, unless his Excellency the Governor General should wish to have an opportunity of personal communication with the authorities of the North West Provinces, where the question is raised on a still larger scale than at Madras by the approaching termination of the settlement made in 1835, before he finally makes up his mind, or commits himself upon a question which is certainly, of all others, the most important in India, and upon which so many high authorities have held conflicting opinions.

(signed) *S. Laing.*

P. S.—I do not refer to the question of redemption of land revenue, for it is no necessary part of the question of permanent settlement.

I doubt its advantage, except in the case of waste lands in unoccupied districts, and would certainly not allow any extension of it that can be helped at such a low rate as 20 years' purchase, which involves a direct loss to the State, as we cannot invest at five per cent.

(No. 30.)

From *W. Kirke*, Esq., Assistant Secretary, for Secretary to the Government of Punjab and its Dependencies, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 339), dated Lahore, 25 April 1862.

I AM now directed, with reference to your communication, No. 1474, dated 20th March last, to convey, for the information of the Supreme Government, the opinion of the Lieutenant-Governor as to the expediency of fixing, in perpetuity, the land tax in the Punjab.

2. Appended are the letters which have been received on this subject from selected officers.

3. It may be noted that the contrast which has been depicted by Colonel Baird Smith between the state of the North West Provinces before and after the settlement under Regulation IX. of 1833 has never been visible in the Punjab. The experience which had elsewhere been accumulated led to the early introduction into the Punjab of a settlement in conformity with that regulation, and except the Trans-Indus Districts, there is none now in which a record of rights has not been completed, or nearly completed, and assessments, based on detailed measurement and statistics, fixed. The same confusion having never prevailed, we cannot expect to witness the same restoration simply from extending the duration of the settlement.

4. The remark made by Colonel Baird Smith with special advertence to the

Punjab settlements, is also perfectly correct, "that it would be premature to regard them otherwise at present than as in a state of transition and progressive adjustment."

5. Moreover, it may be observed that the course of assessment in the Punjab has been the opposite of that in the North West Provinces; for, from various causes, frequent reductions of the revenue fixed at the time of the settlement, instead of an increasing demand, have been sanctioned.

6. But, besides these differences in the current of revenue affairs in the Punjab, there are some physical distinctions of importance. The Punjab is not half cultivated; there are immense waste tracts almost unpopulated; the communications are incomplete; and the resources generally but partially developed. Hence, even admitting that it were wise to abandon the prospective right of Government to a share of the increased rent, in a province which had attained to an average degree of agricultural advancement, it might still be prudent to maintain it in one which remained in a backward stage.

7. It will be gathered, therefore, that the Lieutenant Governor is opposed to making the existing settlement in the Punjab perpetual.

8. It may next be considered if there are any tracts to which such a settlement may advantageously be conceded. There are undoubtedly several districts which have arrived at a fair state of agricultural improvement; but except in the divisions of Delhi and Hissar, transferred from the North West Provinces, our experience has not been long enough to show first, whether the assessment fixed is, as a whole, really moderate; and, secondly, whether its distribution in detail is really equable. We know that the price of grain is subject, from the uncertainty of the seasons, to extraordinary fluctuations, which, continuing in their effects for several years, materially affect the character of the land revenue demand, and the ability of the agriculturists to satisfy it. Until we have passed through a large cycle, it is impossible to pronounce with any confidence that the demand is perfectly moderate. Up to this time our procedure has been tentative. We found the land revenue, after a series of dear years, at a very high figure. We reduced it largely, and, to the best of our judgment, sufficiently. In many places time evinced the necessity for still further reductions, which have been invariably granted. If the original assessment had been fixed in perpetuity; if it had been assumed that the first demand had been infallibly fixed; that the agriculturist must take the consequences of his engagements; then the quantity of land sold for arrears of revenue would have been very extensive, and the political effects much to be lamented. Happily a different policy prevailed. Errors of assessment were recognized and admitted, and the assessment decreased. In this way much of the disorganization recorded in the annals of the North West Provinces has been averted. But the Lieutenant Governor thinks that even now our experience is not sufficient to enable us to declare the assessment, even in flourishing tracts, to be so unquestionably moderate as declared perpetual.

9. Still less can the equability of the distribution be finally affirmed. Passing as the country did from native to English rule, many causes of inequality existed at the time of the first settlement, besides such as may be traced to error or ignorance. Many villages were in temporary distress, and depressed below the average of cultivation; others, in temporary prosperity, may have been too highly assessed. These inequalities would probably be rendered more marked by the continuance of the settlement, at the end of which they would be corrected, but which, if made permanent, would perpetuate them.

10. One standing cause of inequality has been, it will be observed, prominently mentioned by Mr. McLeod, the Financial Commissioner. In a striking passage in Colonel Baird Smith's Report are described "those unseen reservoirs formed by the broad expanses of water-bearing strata" which rank with the greatest rivers in their influence, and the irrigation from which is both vastly more extensive and more fertilizing than that from canals. The multiplication of wells is a sure sign in the Punjab of the expenditure of private capital on the land, and of an advancing agriculture. The Asiatic theory of land revenue is, that the Government is entitled to a certain share of the gross produce. This was frequently commuted to a money demand under the Sikh administration, and

our own revenue assessment was partly founded on this commutation. The theory of our assessment is that it is a tax on the rent of land. But inasmuch as in many cases a large portion of the produce is reared by the aid of irrigation from wells, and those wells are sometimes constructed and always worked at private expense, our tax is in reality often a tax on capital. And in calculating the demand, well-irrigated land is always rated higher and often at double the rate on unirrigated land. No alternative is left to the people but to follow the same practice; they have been accustomed to the hardship from time immemorial, and in the Punjab at least, there is also this to be said, that the great majority of the wells were found ready built by the immigrant forefathers of the present occupiers of the soil. Nevertheless, carefully scrutinized, the extra assessment put upon well-irrigated land, must tend directly to prevent capital being invested in land, and consequently to keep the agriculturists in a state of poverty, without incentive to the best improvement of their holdings, and incapable of bearing up under periodical drought. If so, the policy of imposing this extra assessment may well be questioned.

11. So long as the additional revenue accrued to Government, the inequality of taxation involved, and its obstructive consequences might, in the absence of all complaint on the part of the people, pass unnoticed; but now when it is proposed, with the view of developing the wealth of the country, to limit the land tax for ever, it would certainly appear to be worthy of consideration, whether some adjustment of the liabilities of lands irrigated from wells ought not first to be made.

12. For otherwise we may be placed in this predicament. We declare the present assessment perpetual. In due course, large tracts now uncultivated will be reclaimed, and wells will be sunk in them. Such irrigated lands will then be exempt from land tax. But in those tracts which have long been cultivated, well-lands will continue to pay their present high assessment. The contrast will be glaring. For a long time to come, the irrigated lands of our richest districts would be depreciated as valuable property, and an undue stimulus would be given to the transfer of the labour and capital employed upon them, to tracts now sterile and unoccupied. Or the disparity may be seen on a smaller scale, and the founders of wells before and after the perpetual settlement, having lands in juxtaposition, may be found paying at rates quite unequal, and, in their opinion, unjust.

13. In a country completely cultivated, it might be financially impossible to forego the revenue fixed upon well-irrigated lands. But provided that *it is once admitted that it is politically expedient that a limit be placed for ever to the revenue derivable from the land*, there are, in the state of the Punjab, evident facilities for remitting the claim of Government to share in profits accruing from well-irrigation. The vast extent of uncultivated lands affords an immediate outlet to agricultural industry. No more congenial incentive to enterprise could be held out than the remission of the demand on account of irrigation. And the increase of the land revenue at unirrigated rates would suffice, as Mr. McLeod has proposed, gradually to extinguish the revenue assessed upon wells without loss to the State.

14. The Government would then give to the owners of wells the same advantages which it secures to itself when constructing canals, namely, the whole profits of capital expended. Such liberality would speedily reap its due reward in an improved and spreading agriculture, and in an increasing population.

15. It might also, in many localities, be relieved from the duty now frequently forced upon it, of constructing costly works of irrigation, which are confessedly less efficacious than the scanty but better husbanded waters from wells.

16. On a view of the whole subject, as it affects the Punjab, the Lieutenant Governor considers that if it be prudent in a country like the Punjab, which is still in a backward stage of cultivation, which cannot be said to pay its entire military expenses, and the civil institutions of which are not adapted to the most advanced state of society, to declare the land tax liable to no future increase, still the existing and prospective inequalities of distribution are so many and great, as to render its perpetuation very inadvisable.

17. With advertence to the concluding clause of the third paragraph of your letter under reply, I am to state that the Lieutenant Governor is of opinion that the concession of a legislative sanction to the current settlements would have no practical effect, as the people have been accustomed to regard the acts of the executive as conclusive, and experience has shown them that there is no danger of the imposition of demands not provided for under the settlement agreement.

(No. 31.)

COPY of a Letter from Financial Commissioner, Punjab, to the Secretary to the Government of Punjab (No. 4), dated 4 January 1862.

1. Extract of a letter from Government of India (No. 2034), dated 7th October 1861.
2. Printed copy of Section 11 of Colonel Baird Smith's Report on the late Famine.

I HAVE the honour to acknowledge the receipt of your letter, No. 1918, dated 7th ultimo, with its enclosures noted in the margin, calling for my opinion as to the expediency of introducing a permanent settlement into this province, with reference more especially to paragraphs 62 to 82 of Colonel Baird Smith's Report.

2. I may state, at the outset, that I consider the great bulk of the Punjab to be at present essentially what Colonel Smith terms "a transition state" as regards assessment, and therefore unfitted for any such experiment. Apart from this, however, I am opposed to the measure on abstract grounds, though in tracts, where estates generally are fully cultivated, or where the amount of waste existing has been reserved, not in consequence of want of cultivators, but to suit the convenience of the community; there, I am entirely in favour of an assurance being given, that there shall be no future enhancement.

3. Where there exists an undue extent of waste land, I am wholly opposed to perpetuating existing assessments.

1st. Because to do so, would be in contravention of what I believe to be a primary duty of all Governments in respect to taxation, viz., to equalize its pressure as much as possible, laying the heaviest burden on those most able to bear it.

2d. Because we should be thus circumscribing the resources of those who come after us, to an extent which can be justified only by adducing the most indisputable and sufficient grounds for such a measure.

3d. Because I believe it to be wholly unnecessary for securing all the progressive improvement, and breaking up of waste, which can be attained without prejudice to the interests of those who deserve most consideration at our hands.

4. That such a measure must ultimately beget great inequality of assessment is inevitable, and it appears to me equally certain that the effect of this must be exceedingly injurious. Every settlement officer of experience will admit, that inequality of assessment is an evil only second to over-assessment; and when this inequality is rendered permanent, the evil must be aggravated. Those who may be said heretofore to have borne the burden and heat of the day, who have brought their lands into a high state of cultivation, and have created the means of irrigation, drainage, or other fructifying processes, will find themselves permanently taxed at a much higher rate than their less industrious neighbours, who have kept a large portion of their lands waste or unimproved, and it is not to be conceived that they should not, under these circumstances, consider themselves, and be considered by the community, to have been hardly dealt with.

5. It is unnecessary to dwell upon the necessity of adducing very sufficient arguments to justify the legislature in imposing limits on the action of all future Governments in the matter of taxation; very strong arguments may, I think be adduced, why a larger amount of revenue than at present should not, in future, be derived from a land tax, but the perpetuation of existing inequalities is a very different question, and, in my opinion, those arguments by no means suffice to justify the measure in this shape.

6. I have remarked above, that I consider such a measure unnecessary for securing the object in view, that of promoting agriculture and reclaiming of wastes. The several causes to which Colonel Smith has very justly attributed the progressive improvement in some parts of the North West Provinces are, "protracted fixity of the public demand, the security of titles, the general moderation of the assessment, the recognition and careful record of rights, and the reasonably equable distribution of the burden of land taxation," (*vide* para. 62); and of these, I regard moderation of assessment, and equality of distribution to be so much the most important, that I am convinced cultivation would rapidly extend under their operation, though assessments were constantly revised, and but little regard paid to the recording of rights, as indeed we find to be the case under well-ordered Native Governments.

7. I have further expressed above, the opinion which I entertain very strongly, that to give an undue or artificial stimulus to the breaking up of waste lands, must act with an immediate injurious effect on cultivated lands adjoining. This is keenly felt in all parts of the

the Punjab, in which the existing population and agricultural capital are insufficient to bring the entire area under the plough, and must be felt in like manner in all the tracts similarly circumstanced, in which, by leasing new or deserted wells on plots of uncultivated land, on exceptionally favourable terms, a factitious stimulus is given to the breaking up of waste.

8. It is true, there are parts of India which might, with advantage, contribute a portion of their surplus population to supply the deficiencies of other parts which are under-populated; but even to secure this object, I do not think that exceptional action on the part of Government is desirable, unless for the attainment of some special administrative object, such as that of locating our discharged soldiery, as now in progress in Candeish.

9. I believe that the day is approaching when the strong convictions which led to the abolition of the corn-laws, will lead to the abolition likewise, amongst enlightened races everywhere, of all exceptional legislation whatever in the matter of taxation. The evils which it begets, I believe to be much greater than those which it can possibly remedy, and I consider the only safe principle of progress to be, to allow the action of self-interest to proceed unfettered, Government scrupulously refraining from affording to one section of the community greater advantages than to another.

10. The above are all the remarks which I wish to offer in connexion with tracts possessing waste land in excess. As regards tracts fully cultivated, I have expressed (in paragraph 2) the opinion, that it will be well for Government to give an assurance that the assessment shall not, hereafter, be enhanced, and (in paragraph 5) I have admitted that the renunciation by Government of all future increase of income, in the aggregate, derived from land, may be advisable; but I have refrained from advocating perpetuity of the demand at present, from any lands whatever.

11. My reason for this is, that in my opinion, all fully cultivated lands, almost without exception, pay in India a higher rate of revenue than is justly demandable from them, owing to a principle of assessment heretofore recognised and acted upon throughout the East, which I believe to be fundamentally erroneous; and I consider, therefore, that this demand should nowhere be irrevocably fixed, until whatever is in excess has been remitted, and our past error corrected.

12. The principle to which I refer, and which I believe to be still adhered to by us in all parts of India, where the demand is not permanently fixed, is this, that Government is entitled to a certain proportion of all that is produced from the soil, and hence our land tax, instead of being, as is often urged by its defenders, a tax upon rent proper, only includes a tax on capital, and thus becomes virtually a tax upon raw produce, a description of tax which I believe all political economists are now agreed in condemning. It is owing to this view of the matter, that all Governments in the East have, from time immemorial, levied a heavier assessment on irrigated land than upon unirrigated; upon improved lands, than on unimproved ones; although this irrigation or improvement has been effected, not by outlay from the public treasury, but by expenditure of the capital, skill, and labour of the occupants of the land; and this principle, inherited from the rude Governments which have preceded us, and acted upon, in imitation of those Governments, by the people themselves when distributing the Government demand, we have continued to follow up to the present time.

13. That the owner of land should, at the close of a lease, appropriate the advantages prospectively accruing from the outlay of his tenant is, no doubt, admissible. It is the result of mutual agreement; and must, in fact, in the long run, be unavoidable. But that Government should thus usurp the privilege of the proprietor, I believe to be indefensible on any just theory of taxation. It is to this that all the difficulty and derangement so largely dwelt on by Colonel Baird Smith, as resulting from the opening of canals, is attributable; and I am quite convinced that the adoption of this principle has done more to check the improvement of land, and the advancement of agriculture in India, than any other cause whatever.

14. I think, therefore, that it is one from which our Government ought to recede as soon as may be practicable, and the most legitimate mode, it seems to me, by which this may be effected, is by appropriating to this purpose all enhancement of land revenue derived from other sources. Let Government determine that all future additions to its land revenue accruing from increase of cultivation shall be progressively surrendered, and applied in such a manner as may be agreed on, to the gradual reduction and ultimate remission of irrigated rates on well lands, or other enhancements of demand attained by private outlay or application of skill; and I entertain no sort of doubt that it would thus afford a much greater as well as a more legitimate stimulus to agricultural progress than can ever be secured by simply fixing for ever its demand, without regard to the mode in which that demand is distributed.

15. Colonel Smith admits, in the second clause of paragraph 20, that to fix the demand permanently, where there is any ground to apprehend it may prove oppressive, would be very inexpedient; and in the first clause of paragraph 167, in like manner, he urges that this measure be adopted only "where there is reason to be confident that these settlements are fair and equitable." What I have urged above is but an enlargement of this view, to meet what I consider to be a master evil in our present land revenue administration; and

I trust it will not be gathered from anything which I have said in the foregoing paragraphs, that I do not fully appreciate the value, and admit the expediency of our fixing the demand, so soon as we can satisfy ourselves that that demand is really just.

16. The Supreme Government have further inquired whether it would be expedient to give the impress of legislative sanction to our existing temporary settlements. I regard it as quite immaterial whether this sanction be given or not. The people have the most implicit confidence in the good faith of the Local Government and its officers, and entertain no fears whatever, that the engagements entered into with them at the commencement of the settlement will not be rigidly adhered to up to its close; so that I do not think their confidence could be increased, or any useful object gained, by the addition of any legislative sanction.

COPY of a Letter from Officiating Judicial Commissioner, Punjab, to the Secretary to Government of Punjab (No. 19/93), dated 7 January 1862.

IN reply to your letter, No. 1919, dated 7th December last, I beg to state that I have perused the report of Colonel Baird Smith on the famine of 1861, which extended only on the tracts east of the Sutlej; and yet, on the strength of a mere theory, it is proposed to make an organic change in the revenue system of a great province neither affected by the famine, nor visited by the reporter.

2. The position of the Delhi, Hissar, and Cis-Sutlej divisions differ materially from that of the Punjab Proper and the Trans-Sutlej States; but in neither case, in my opinion, is a perpetual settlement desirable. I really am surprised to find such a proposition brought forward by an officer for whom I have so great a respect as Colonel Baird Smith. However, we may leave the Delhi and Hissar Divisions to follow the policy adopted by the Supreme Government for the Agra, Muttra, and Meerut Districts, and confine our arguments to the Punjab Proper and the Cis and Trans-Sutlej States.

3. To make a perpetual settlement worth anything, we must first ascertain whether the present settlement is fair and light. I am not prepared to say that it is so, for a term of five or ten years, far less for perpetuity; but I can say, that the revenue is collected without duress, without sale of land, with as little annoyance to the people as possible; and that on the first indication of pressure, relief is, and will ever be given.

4. The country is settling down after a century of tumult. Means of export are increasing; both agricultural and commercial classes are thriving. The price currents of cereals fell after our occupation; they have now risen again; who can say how long they will remain at the present figure? On them depends the relative fairness of our assessment. Make a perpetual settlement of the price current, and I will agree to the same measure for the land.

5. To plunge hastily and darkly into this great measure to fix for ever the assessment of each village with our imperfect data, would be an act which, but for the respectable quarter from which the scheme emanates, I should describe as very rash and not very wise. The lightly assessed villages, with vast areas, would gain, and a lucky chance would relieve them from their fair share of the burden of taxation. Heavily assessed or suffering villages would, as now, demand and receive relief, and thus the State would lose.

6. If it be feared that there is a tendency to over-assess, that the people would gain by a limit being fixed on the Collector's demand, there must be a great misconception of our system. If the Governor General in Council were pleased by legislative enactment to fix the total land revenue of the Punjab, collectively, or of each district separately, I should have no objection; but the assessed area must be previously ascertained, the hundreds of revenue-free acres in jagheers, and the thousands of revenue-free acres in maafee, must be deducted; the large tracts of land liable to fluvial action must be excepted; all the village cesses must be carefully separated from the land tax; in fact a very lengthened investigation must take place, creating an excitement, and entailing an expense far exceeding the very slight advantage.

7. A settlement for (30) thirty years lasts for a generation, a re-settlement is a re-adjustment only; there is no screwing higher up year after year; all these things belong to a period long since passed away, and to a different province.

8. Perhaps the Government might promulgate with greater distinctness and clearness that no enhanced assessment is to be made on *bonâ fide* improvements. Some rules might be laid down as to what constitutes an improvement, such as a well sunk, a canal cut, &c.; but Government have a right to increased assessment on the general improvement of the country, arising from peace, protection, good roads, &c.; from the surplus thus gained, relief is granted in quarters where the soil has deteriorated, the population diminished, the cattle have died, and the wells fallen in. If the power of thus adjusting unequal assessment be arbitrarily taken away, it will come to this, that relief will not be readily given to suffering villages.

9. I can see no more reason for a perpetual settlement of the land tax in India than of the income tax in a city in England, or of the rents of the Crown lands or the Duchy of Cornwall.

Cornwall. Light assessments, very light, spread over *the whole area*, periodically open to revision, constitute what is required. On these grounds I have always protested, and shall continue to protest against the alienation of 33 lacs of revenue in life or perpetual grants to fortunate favourites. Imagine the whole county of York exempted from taxation, and the rest of England paying all the charges of the favoured county. This is one of the flaws in our revenue administration.

10. Where also we have injured the landholder, is in our undue interference betwixt him and his tenant, by arbitrarily abolishing rent, and giving fixity of tenure to cottier tenants. No landholder in England would stand this. If a scheme could be devised of making the landholder really master of all the land, called his by courtesy, a greater scope would be given to improvement.

The undue interference exercised between landholder and tenant.

11. The position of the Punjab Proper and the Trans-Sutlej States and Cis-Sutlej States is essentially different from that of the Agra provinces, in which I include, *quoad hoc* the Delhi and Hissar Divisions. In the latter province 30 years of fiscal misgovernment and downright oppression have been followed by nearly 30 years of careful and benevolent administration. I doubt whether even Colonel Smith contemplated the sudden extension of his new principle to tracts to which his arguments in no way apply, and of which I believe he knew absolutely nothing. I draw attention to the latter part of paragraph 62, and latter part of paragraph 79 of his second report. If he really proposed this measure for the Punjab Proper, it would be as if the Commissioners, to inquire into the cause of the Irish and Scotch famines, suggested measures to improve agriculture in Kent and Norfolk.

Position of Punjab Proper, Trans-Sutlej States and Cis-Sutlej States differs from the Agra provinces, with which Delhi and Hissar divisions assimilate.

12. It is the fashion in modern times to aim at an old and patriarchal system of Government, and to associate native chieftains in the general administration; now on this question they have knowledge; ask them what they would think of perpetual settlements. What would the pillar of the State, the Maharajah of Puttecala, and our ally of Jummoo, say to this measure? Still as the expediency of the measure is argued up, from physical causes, such as famine, they ought to be consulted; at any rate, they understand the position.

Opinions of native chieftains should be taken.

13. At the same time, if any enterprising capitalist, English or native, were to come to Government, and say, "I have purchased, or intend to purchase, an estate; I intend to invest capital; but I am deterred by the fear of the Government demand being enhanced," there can be no objection whatever to a special tenure being created for such parties. The assessment of their estates should be fairly and liberally considered, and fixed in perpetuity, to be paid, if wished, in a lump once a year, or to be brought up and redeemed at once. I would go further, and if any settler after five years' residence prospered, and introduced new staples, new modes of agriculture, and if the people rallied round him, and made him the centre of their new civilization, I would make him grants of waste land, and if he extended his purchases, grant him assessments on peppercorn rates; and so long as he dealt fairly and on commercial principles with the people, the Government should give him every possible encouragement and support.

Special tenure might be created for enterprising and improving capitalists.

14. What the Punjab requires, is to be left alone from another decade. We have profited by the experience of the revenue miscarriages in the Agra Province. Let us also profit by the experience of the revenue miscarriages in the Bengal Presidency. Lord Cornwallis erred in ignorance; are we to commit the same mistake with our eyes open? No land has forcibly changed hands in the Punjab, no landowners have been sold out. Light assessment, easy collections, extension of cultivation, location of new villages, and the minimum of interference, have been our principle and our practice. Let us be allowed to profit by the experience of the application of this grand new measure to the Agra Provinces. Let us prepare carefully our 30 years' settlement of the districts. As each of them falls under assessment, and as each district is re-launched, withdraw all restrictions on private sale, enforce them still more rigidly on judicial and fiscal alienations, and leave agricultural interests to develop themselves unshackled by restrictions, and unsmothered by kindness, falsely so called.

Requirements of the Punjab in this matter.

COPY of a Letter from *E. I. Brandreth, Esq.*, Commissioner and Superintendent of Cis-Sutlej States, to the Secretary to Government of Punjab (No. 338/4038), dated 24 December 1861.

I HAVE the honour to acknowledge the receipt of your No. 1921 of the 7th instant, forwarding copy of Colonel Baird Smith's Report, and requesting my opinion as to the expediency of introducing a permanent settlement into these provinces.

2. The principal share in the rent of the land belongs no doubt by undisputed right to the Government; and, like a sleeping partner in any concern, the Government is clearly entitled to any future increase of profits therefrom. No other mode of taxation has yet been devised which can be looked forward to as any adequate substitute for the land tax, or which can touch in a sufficient manner any increase in the wealth of the country.

3. On the other hand, so far as we can judge by present experience, there is but little expectation of the Government being able to claim hereafter any additional profits from its

share in the rent of the land. The tendency of nearly all assessments hitherto has been rather to a reduction than to an increase of the revenue; prices have not, I imagine, on the whole been any higher of late years than formerly, and the promise that has been given to the zemindars by the Government of half, instead of two-thirds, assets being made the basis of all future assessments, makes it possible that future assessments may be still lower than they are at present. Most of the districts, however, in the Punjab have been settled for 30 years, and it is impossible to foretell what may be the value of the land at the end of that period; it may have increased far beyond what any past experience has shown by the progress of roads, railways, and canals, and the opening out of the new markets. Without very good reason, therefore, the Government claim to share in the future profits of the land ought not to be sacrificed.

4. Still if Colonel Smith's anticipations are realised, and it be only owing to the absence of the confidence which would be produced by a perpetual settlement, that the country is not more wealthy than it is; if it be true that such a settlement would be regarded as a most precious boon by the native community, and lead to a very great increase in private prosperity, the Government would hardly wish to prefer its own interest in the matter to that of its subjects, or rather might look confidently to incurring no loss of its revenue in their increased prosperity, even though the ways and means may not be at present fully apparent.

5. But the question is, would the people feel a perpetual settlement to be a great boon? Would the small landholders of the Punjab draw any such decided inference in favour of a perpetual settlement as compared with the 30 years' settlement which they now have? Colonel Baird Smith considered that there was far less suffering during the late famine, in consequence of a vast mass of readily convertible agricultural property having been created as the direct result of the limitation for long terms of the Government demand on the land; and he points to the great increase apparent in sales by voluntary action, or in satisfaction for debts; but it may be doubted, perhaps, whether, as regards the Punjab, the land can be considered as easily transferable. There is certainly no actual prohibition by law against the sale of land in execution of decrees of the Civil Court. But land is not generally regarded as very good security for the repayment of money. Most judicial officers object to recommend its sale, and the supreme judicial officer in the Punjab, with whom exclusively rests the power of sanctioning sales of land, has pronounced that such sale is all but prohibited.

See No. 2, Collections from the Records of Punjab Government, 61.

6. I am by no means certain that the whole agricultural population would appreciate the supposed benefit of a perpetual settlement in any sufficient degree. It is no use to aid them against their wishes. We must not expect that they will work out the intended results, however plain and easy of accomplishment by others, unless they themselves feel an interest in doing so.

7. If they do feel such interest, perhaps the best method of proving it would be to demand an increase of 5 per cent. or one anna in the rupee from all landowners who desire to have the present assessment made a permanent one. Payers of the income tax are allowed to compound for five years' income tax in a similar manner. This would not be a high price to give for such privileges as the freedom from all future claims on the part of the Government, and from the risks of joint responsibility.

8. I am disposed to attach great importance to the encouragement of individual efforts. There is a kind of slavery in that part of the village system which renders one man liable to be a victim of the debts and improvidence of another. I should like to see the industrious man have the power of emancipating himself, if he appreciated the liberty, from such a bondage, and of securing the fruits of his industry to his children for ever.

9. In writing to the Financial Commissioner regarding the redemption of the land revenue, I proposed not to confine the privilege in any way to whole villages, but to allow each individual proprietor to redeem his holding separately if he chose, provided the jumma he paid was not very insignificant. I proposed that any man who paid a jumma of 10 rupees should be allowed to redeem his revenue, and I would give the same privilege to individual holders of land as regards the conversion of their assessment from a temporary to a permanent one on payment of the additional rate above referred to.

10. I am aware that this proposal is not in accordance with the theory of joint responsibility, but no more is the privilege of redemption of 10 per cent. of the land revenue in each district which has already been conceded, and I question whether joint responsibility is anything more than a mere theory, whether it is of any account whatever in practice. Sales of land for arrears of public revenue are scarcely ever sanctioned at the present time; and practically, I believe, the Government does not desire to take more on account, not of a whole village, but of any portion of land in a village, than it is worth, or to consider that any portion of such land should be held on any other terms than those by which the Government, having by law a priority of claim over all the other creditors of a defaulter, is enabled to hold the land exclusively responsible for all arrears of revenue.

11. Nor does it seem to me that joint responsibility as regards the payment of the Government revenue is a necessary part of the village system, or that the acknowledged benefits

benefits of that system in other respects will be in any way diminished by its abolition. Manfeeldars are not responsible for the Government revenue, yet they belong to the village community just as much as those that pay revenue. They share the expenses of the village servants, of watch and ward, &c., are equally responsible for giving up criminals as regards the Khoj system, and for the payment of their share of any fine which may be inflicted on the village community. Those zemindars, therefore, who, by redeeming their land revenue, or by electing in the manner mentioned for a permanent settlement, free themselves from joint responsibility, would remain as much members of the village community to all real purposes as heretofore; but they would have additional privileges and advantages.

12. Further, the measure which I have proposed would afford additional means for testing the fairness of the assessment of those lands, the proprietors of which had not elected for a permanent settlement. It would then be seen whether they were suffering from over-assessment or not, and the small increase which I have proposed should be taken from those who elected for permanent settlement, might suffice for compensation in some degree, if not entirely, for the reductions that would have to be made at the end of the present settlement, or may have to be made in the course of it in over-assessed villages.

13. Your letter under acknowledgment required that my report should be submitted within 15 days. I have given the best opinion I could form upon my present information; but I have had no opportunity yet of consulting the wishes of the people, nor of hearing the opinions of the district officers on the subject. I should much like, during the present cold season, to have a good deal of conversation with the zemindars on different parts of the division regarding the proposed perpetual settlement, and ascertain what their real wishes on the subject might be, and how far they would really appreciate the measure. If, therefore, it will be of any use, I shall be glad to submit another report two months hence, after I have had more time to consider the subject.

14. Pending further instructions, I have retained Colonel Baird Smith's Report, to be submitted hereafter.

COPY of a Letter from *P. S. Melvill*, Esq., Officiating Commissioner and Superintendent of Trans-Sutlej States, to the Secretary to Government of Punjab (No. 179), dated the 13th December 1861.

YOUR letter, No. 1922, dated 7th instant, only reached me this morning, and tomorrow I will surrender charge of this office. I have not had time to read the second part of Colonel Baird Smith's Report; but as the subject of your letter is important, and the pressure of the time great, I venture to submit my opinion on the advisability of converting into a permanent settlement the present temporary one.

2. Nothing can well be more hopeless than the existing stagnant condition of the people. Two great elements of progress have lately been presented to us, the redemption of the land tax, and now the permanent settlement. But of the two the former is undoubtedly the most powerful. I therefore would allow a fair time for it to work. If the prospect of a permanent settlement is simultaneously unfolded to the people, I should anticipate that it would blunt the edge of their desire for the redemption of the land tax. I would therefore suggest that nothing be publicly announced for six months or a year regarding the continuance of the present settlement.

3. But with this proviso, I am of opinion that in all districts where the assessment is tolerably fair, and by the term "fair" I would particularly wish to express equability no less than general moderation, the advantage of perpetuating it will be incalculable. Looking at the places with which I am acquainted, I am of opinion that the whole of this division, the Umballa District, and the Rohtuck and Hissar Districts, might be brought into the category of permanently assessed districts. I think, however, the measure should not be made authoritatively; but that, on the contrary, applications should be invited from the people to change their temporary contract into a permanent one. It would then be necessary to decide as to the acceptance of such applications with reference to their number; for it would never do to give a permanent settlement to lightly assessed villages of a district, and to leave the more heavily assessed estates to a future occasion. Under such circumstances, the only alternative would be either to reduce the assessment of the heavily assessed villages at once, or to declare the applications for a permanent settlement altogether.

I am inclined to believe, however, that, with existing high prices and fine agricultural prospects, the people would generally desire to have their present jummas made permanent. I believe that the whole of the Kangra District, and, perhaps, the whole of the Julundur District, would come forward and grasp at the offer; that the Umballa and Rohtuck people would do the same; and that, very probably, a large majority of the Hooshiarpore and Hissar people would do likewise. But in districts just entering the confines of agricultural prosperity, as I believe is the case with some of the central zillahs of the Punjab, I do not consider that it would be expedient to stereotype the Government demand until their capabilities have been more fully tested.

4. The report will be left for Colonel Lake's perusal. He will doubtless wish to offer his own remarks.

COPY of a Letter from Colonel *Lake*, Commissioner and Superintendent of Trans-Sutlej States, to the Secretary to Government of Punjab (No. 184), dated 18 December 1861.

ALTHOUGH your circular, No. 1922, dated the 7th December 1861, has been replied to by my predecessor, the importance of the subject will justify my submitting my own opinion on the proposal for fixing in perpetuity the Government demand upon the land.

2. At a time when the most strenuous efforts to raise money by new taxes provide only revenue sufficient for an expenditure on a rigid scale of economy in all departments, and quite insufficient to meet the growing wants of the country, the effect of the proposed measure upon the finances deserves very serious consideration.

3. Under some general idea that by benefiting the community we cannot fail to benefit the Government, we must not forget that the adoption of this measure will impair the productiveness of the principal item of revenue in India, and that, as a necessary consequence, it will involve the imposition of new taxes.

4. To meet the urgent want which exists for the extension of irrigation, the improvement of communications and the promotion of useful knowledge by a sound system of education will involve a much larger State expenditure than is incurred at present, and for these purposes how money is to be obtained should be seen clearly before we cripple the present great source of income.

5. The day may, and probably will, come when other taxes may safely and advantageously be imposed; but the experience acquired in levying the income tax has shown conclusively that the day has not yet arrived, and that for some time to come the Government must look for the bulk of its revenue to the land assessment, not only because this is more productive than any other, but because of all modes of taxation this is the best suited to the genius and habits of the people and the present condition of the country.

6. The tendency of land to increase in value under British rule is prominently noticed by Colonel Smith. If this has resulted under existing arrangements, how much more land will increase in value from the extension of railways and metalled roads, and from other improvements materially enhancing the profits of agriculture.

7. We must also look with the growing prosperity of the country for a steady increase in the price of agricultural produce, which again must materially affect the profits of agriculture.

8. Now, under the present terminable settlements, the Government shares from time to time in the growing profits of the land, and very legitimately so, when these profits are attributable in a large measure to the paternal character of the administration, or are due to railways and other improvements effected either at their expense or on their guarantee.

9. By fixing now for ever the public demand on the land, the Government not only foregoes all these advantages, but will incur a still further loss owing to the tendency of money to depreciate in value, while the price of labour must increase; so that, while the expenditure in all departments must inevitably increase, the money to cover that expenditure lessens in relative value.

10. All these considerations and the extreme difficulty of raising sufficient revenue from other sources render it, in my opinion, impolitic to concede at once a fixed settlement in perpetuity to all the proprietors of the North West and of the Punjab.

11. By giving permission to redeem the land tax under their proclamation, dated 17th October 1861, the Government have virtually conceded the principle of a fixed settlement in perpetuity; and it is only in this way I should at present be disposed to recommend the adoption of the principle of perpetual settlements.

12. Every proprietor who really values the boon can now obtain a perpetual settlement on fair and moderate terms under an arrangement which secures at the same to Government great political and material advantages.

13. When the Government is prepared to make the pecuniary sacrifices which is involved in a perpetual settlement, it is sound policy to obtain in return the pledge to good order and loyalty which is given by those who redeem the land tax.

14. Indeed, by extending the perpetual settlement generally throughout the country, we should, I believe, take away the strong inducement which exists for redeeming the land tax under the system of terminable settlements. For a landed proprietor who is lightly assessed now would naturally expect to pay more at the next settlement, and it would be to his interest to redeem before that settlement takes place; whereas, under a perpetual settlement, if the demand were moderate, most men would prefer paying that demand year by year to embarking their capital in the redemption of the land tax, which capital would all be lost should the British Government be overturned.

15. I beg distinctly to affirm that, on general abstract grounds, I am in favour of a fixed demand in perpetuity; but whereas Colonel Smith is for adopting it simultaneously and at once throughout the length and breadth of the North West, I am only in favour of
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its very gradual adoption to a very limited extent, and only in those cases where the Government reaps some solid advantages in return for the revenue it sacrifices.

16. Colonel Baird Smith himself has placed limits to the adoption of the measure, and considers that the Western or Punjab sub-division of the famine tract is unsuited to the adoption of the course which he recommends elsewhere.

17. Equally valid reasons point out the wisdom of a still further limitation; for although as a general rule, the Government demand in the North West may be moderate, the statistics of sales quoted in the report now under review show how unequal that demand is; for while in Goruckpore and Azimghur the price obtained for land is more than ten times the Government revenue, land in Cawnpore fetched by private sale a little more than double, and by public sale very little more than the Government revenue.

18. There must be great inequality of the Government demand to account for such diverse results; but this inequality would be still more apparent if, instead of looking to average results, the selling prices of land in single estates were compared together, and this not only in different parts of the province, but in the same district, and sometimes even in villages contiguous to each other.

19. If, as shown in these cases, the pressure of the Government demand is very unequal, to perpetuate such inequalities by fixing the Government demand for ever would be very unfair to the very people we desire to benefit.

20. Indeed such a measure would be suicidal, for in seasons of scarcity the Government would incur serious loss by the more heavily assessed communities not being able to meet their liabilities.

21. It is to remedy these inequalities that Colonel Baird Smith sees the necessity of a period of inquiry and revision. He does not, however, allude to the magnitude, or the difficulties, or the expense of this work, which involves no less than the re-assessment and the re-settlement of every village in the North Western Provinces.

22. The wisdom of undertaking so expensive a work may well be questioned at a time when the finances are straitened, and it is obvious that so great an undertaking can only be brought to a completion by very slow and gradual steps.

23. But more formidable even than expense or delay are the difficulties of making a re-settlement which shall be really fair and equal. I have had some little settlement experience myself; I can therefore speak from personal knowledge of the extreme difficulty of so testing the capabilities of a large number of estates, as to frame for them a settlement free from great inequalities.

24. The difficulty of the task is shown by the history of settlements in the North Western Provinces. Settlements framed with great care by able, pains-taking and industrious officers, have broken down under the great test—experience; and where settlements have worked most successfully, it has been owing more to the lightness of the demand than to equal assessments.

25. Even in the revised settlements last completed great inequalities will be found to exist, and no re-settlement, however carefully made, will be free from them. These inequalities would all be perpetuated by fixing the demand now for ever, whereas by allowing the people to redeem the land tax, these inequalities will be gradually brought to light and rectified.

26. For if the people avail themselves largely of the permission to redeem, the number of estates to be assessed at the next settlement will be sensibly diminished, reducing the work, and thus rendering it more manageable. Again, the redeemed estates will furnish valuable data for re-assessing other estates.

27. It may not be out of place to call attention here to the large number of estates in this country situated on the banks of rivers, and the lands of which are continually affected by the action of water. It is obvious that to these a perpetual settlement is not applicable.

28. I beg now to submit for consideration a proposal which is calculated, I believe, largely to promote the object the Government has at heart, "for making more effectual provision against the recurrence of future seasons of drought." I have to recommend that a proclamation be issued to the effect that no additional demand will be made at any future settlement for lands brought under irrigation by new wells, constructed after the date of the proclamation, and that such lands shall always be assessed at unirrigated rates.

29. This concession on the part of Government would give such an active impulse to well-irrigation as materially to mitigate the effects of future famines, and would secure some of the chief advantages to be derived from a perpetual settlement. When a proprietor has sunk his capital in improving his land, it is but fair that he should enjoy the whole profits thereof. On these grounds, therefore, the justice of this concession will be admitted, and requires no elaborate defence on my part.

30. It would be out of place in the present letter to discuss the relative advantages of canal and well-irrigation in promoting industrial habits among a people; for whatever may be the conclusions arrived at, the advisability of extending the area of well-irrigation will not be questioned.

31. Indeed, to further so important an object, it would be well to make large advances, and special measures should be taken to let the people know that they may have these advances. Want of capital is, I believe, the great bar to the construction of new wells, and the Government, which has expended some three millions sterling on irrigation by canals, will not allow irrigation by wells to be checked for want of funds. Under existing rules, advances are made by the Government for constructing new wells; but in most districts these rules are almost inoperative, showing the want of some additional impulse, such as that now proposed by me.

32. If with the permission given to redeem the land tax and to purchase waste lands in perpetuity on advantageous terms, are combined facilities for extending well-irrigation, much will have been done without great loss of revenue to Government, to promote those objects which Colonel Baird Smith desires to secure by a perpetual settlement.

33. As directed, I beg herewith to return Colonel Baird Smith's Report.

COPY of a Letter from Colonel *Hamilton*, Commissioner and Superintendent of the Mooltan Division, to the Secretary to Government of Punjab (No. 182), dated 19 December 1861.

I HAVE the honour to acknowledge the receipt of your letter, No. 1920, of the 7th inst., with enclosures, herewith returned.

2. The Mooltan Division is at present in a state of transition. Only a small portion of the culturable area is occupied; and from the want of population and capital, the extension of cultivation, although steadily progressive, must, under existing circumstances, be necessarily slow. The lands now occupied are in general not laboriously cultivated; and from the facility with which new land can be procured, the tendency at present is to employ capital rather in bringing waste land under cultivation, than in improving land already occupied.

3. As far as the future can be foreseen, the same course will probably be pursued. The railway will open out new tracts now lying waste, and the facility with which irrigation by canals can be extended will tend to force capital to the improvement of the unoccupied lands in preference to employing it on lands now under cultivation.

4. The present settlement of the division was made on liberal terms; the assessment is light, and most of the villages have extensive areas of waste land capable of cultivation. The exceptions are the best cultivated estates situate in the richest and most populous tracts, and there the assessment, although moderate, is comparatively high.

5. I consider, therefore, that in the course of some years the existing assessment will become unequal, cultivation will be increased, but will not be much improved. The villages with large areas of waste land will extend their cultivation, and their assessment will, therefore, be lightened, while the estates without spare land will not have similar advantages. I do not think, however, that this stage will be reached until after a considerable lapse of years, as improvement, although progressive, is from want of capital and labour necessarily tardy.

6. I do not consider, therefore, that a permanent settlement would be advantageous either to the State or its subjects; but I strongly advocate the extension of the existing settlement for a term of years. Without the certainty of being able to reap the fruit of his labour and expenditure, no one will sink his capital or employ his labour in improvement. I consider that the present leases might advantageously be extended for a term of 20 years. A longer period might even be adopted; but I think the term I have mentioned will be sufficient to encourage improvement, while it will not prevent the State from deriving future advantage from its present moderation.

COPY of a Letter from the Commissioner and Superintendent of the Lahore Division, to the Secretary to Government of Punjab (No. 175), dated 30 December 1861.

I HAVE the honour to reply to your letter, No. 1923, dated 7th December 1861, calling for opinion as to the practicability and expediency of extending perpetual settlements to the Punjab.

2. On the abstract question of the advisability of perpetuating the public demand on the land, according to present rates of assessment, so much has been said by able writers, that the Government will, perhaps, consider any remarks from me superfluous. Yet I would respectfully draw attention to the published opinions of Mr. St. George Tucker, late director of the East India Company, on this important subject. I consider his remarks incontrovertible.

3. I have

3. I have heard the opinion expressed that whilst it is advisable to allow the redemption of the land tax, it certainly is not so expedient to fix for ever the demand on the land, because in the former instance the Government will be able to impose taxes on the landholders, which they could not do so long as the zemindars paid rent on their land.

4. Such an argument appears to me wholly opposed to all principles of common justice. To tell the people that they may redeem the land tax, and then, having got their money, to impose any sort of tax which would have been impossible or inequitable had they continued to pay rent, would be an act of bad faith, of which the British Government is wholly incapable.

5. It appears to me that the perpetuation of our settlements is a natural consequence of the order permitting the redemption of the tax. For it will be exceedingly difficult hereafter to enhance the revenue on any village. If the Government were to direct a revision of settlement, with a view of assessing new lands brought under cultivation within village boundaries, the people would at once avail themselves of the existing order to redeem the tax at any cost to themselves, and by a mistaken desire for increase of wealth we should fall short of our object, and, perhaps, plunge the people into great pecuniary misery.

6. It may be argued that in the Punjab, where whole tracts of land belonging to villages lie uncultivated, it would be suicidal to abandon all prospect of increasing our demand as cultivation increases; but we have very good proof that the very fear of that increase of demand acts now as a decided check on cultivation.

7. It is the case now in Goojranwalla. Declare the settlement perpetual in that district, and at once wells will be set a-going in large numbers; whereas at present the zemindars are allowing them to fall out of gear, in the hopes of getting a reduction of assessment at the next settlement. Several retired Native Officers, who have money which they wish to invest in land, have openly told me that they will not do so, because they can get no advantage; for as soon as they have brought waste land under cultivation, some Settlement Officer is sure to appear and sweep away all their profits into the Government Treasury.

8. There is a very important consideration in connection with the Baree Doab Canal now only just beginning to spread its fertilizing influence over the land. At a revision of settlement, perhaps, the officer who has charge of the assessments would fix the irrigated rates on all lands watered by the canal, in addition to which the Canal Officers will levy the actual water rate: I certainly think that we ought not to allow this double assessment. It would be far better for the Canal Officers to raise their water rate for every one. And my great reason for advocating this measure is because Government is about to sell at a very moderate rate large tracts of waste land which will be irrigated by the canals. Are these new purchasers, then, to be so highly favoured, whilst we screw the utmost farthing out of our ancient landowners? The purchasers of waste lands will pay only the water rate, whereas the rent-paying zemindars have to pay water rate plus irrigation rate. This would be manifestly unjust.

9. It is very true that if we make our present settlement perpetual, we shall have inequalities of assessment. One village, which at the time of last settlement had but little waste land, will be highly assessed in comparison with the villages which have now large uncultivated tracts, when once those tracts are brought under the plough. But so there must be inequalities. It is impossible to get perfection or uniformity in any great scheme of Government; and so long as we satisfy ourselves that the highest rate of tax on any village is moderate, and does not impede the progress of agriculture, I think we ought not to look for more.

10. But the perpetuation of the settlement ought to be introduced gradually, and with the utmost care, reference being had to the particular features of each district. In some places the settlements have been concluded with an amount of care and research that cannot be surpassed. Such a settlement is that of Ferozepore, by Mr. E. Brandreth. The Ferozepore District I consider to be ready for a permanent settlement.

11. In the other districts of this division here and there reductions may be requisite, and I hear of one or two instances where the Zemindars feel the present assessment somewhat heavy, but they refrain from complaint, as they believe the next settlement to be so close at hand. The rates on these villages may require to be revised. But as a rule, I should say that much of the discontent shown until lately in the Goojranwalla District would disappear so soon as the people were assured that, let them extend their cultivation and irrigation to any extent, they would never be called on to pay one farthing more.

12. It is a positive fact, admitted by Settlement Officers, that zemindars have to pay pretty heavily one way or another at each settlement, to secure favourable terms, and are often weighed down for years in consequence.

13. If we desire to stimulate industry, to augment the wealth of the country, and to encourage the accumulation of capital and outlay on remunerative works, we ought certainly to make our demand on the land permanent.

COPY of a Letter from the Deputy Commissioner of Dera *Ismael Khan*, to the Secretary to Government of Punjab (No. 690), dated 19 December 1861.

I HAVE the honour to reply to your letter, No. 1926, of 7th instant, which only reached me in camp yesterday, requiring my opinion as to the expediency of introducing a permanent settlement into these Provinces. My reply being required within 15 days, I have hardly had time to give the subject that amount of thought which it deserves; but I will endeavour to state my view of the case as it occurs to me. It seems necessary that I should first explain what I understand by a permanent settlement, and afterwards express my opinion as to the expediency of the introduction of such a measure into the Punjab.

2. It will not be denied that limiting the tax on an improbable property must tend to accelerate its improvement (especially if combined with an enlightened settlement of the various rights in that property, which, however, have nothing to do, properly speaking, with the question of fixing the amount of the tax in perpetuity). And the principle upon which Government has acted in the North Western Provinces and the Punjab, seems to be to limit the amount of the tax for a period of years, in order to induce this improvement; so that at the expiration of such period, the agricultural community may be the better able to bear future taxation, whether it be the old amount or an increase thereon (according to State necessities), besides contributing in other ways to the general prosperity of the nation by the increased wealth of its resources.

3. It is now suggested that, because a period of prolonged duration has been found to result in such improvement of both "State and popular interests," they would be strengthened in an increasing ratio by fixing such period in perpetuity.

4. There seems little doubt that this would be the case, but the principles of equitable taxation of all classes of the community must not be lost sight of. I regard the land tax much in the same light as any other Imperial tax.* This object is attained by a levy from its subjects of a portion of their means. The simplest, or apparently the simplest, form by which such object is attained is an income tax. By it the subject contributes a fixed proportion of his net annual profits. The land tax, as administered by former Governments, retained much of this form. A fixed portion of the actual produce of the land was levied from the cultivator who produced it. Inheriting this tax the British Government maintains it, though administering it in a different manner. Theoretically, then, it would appear to be no more reasonable that the Government should limit for ever the amount of its demand from the subjects whose incomes are derived from agriculture, and who, therefore, contribute to the necessities of the State in the shape of land tax, than that it should bind itself never to increase the rate of the tax upon incomes derived from trade. If, therefore, such limitation be determined upon by the Government, in other words, if the Government decide upon consenting to forego the revenue derivable from increased agricultural wealth, it is reasonably inferable that it does so, not for the purpose of making the State burdens fall with disproportionate weight upon non-agricultural classes of the empire, but because it believes that from such a measure the agricultural community will be able more easily to bear any possible enhancement of Imperial taxation in another form, as well as increase such facility in the case of other classes who will indirectly share its increased wealth. For it would not, I think, seem to be right or politic to fix a settlement of the land revenue in such a manner that the payers of the tax could never be called upon in some mode or other to bear an equal burden, in proportion to their means, with other classes of the community. Supposing such a time to come, when the residue of their income from the land should, after paying land tax, bear a greater proportion to their whole income than the residue of the means of, say, a banker might then bear to his total income after paying income tax, it seems to me not enough to say that the proportion of the rent now demanded is so great, that it can hardly be permitted to increase. That may be a reason for its reduction now, but not for placing the taxes for ever under a different principle of taxation from all other classes of subjects; and it therefore does not, I think, affect the main question. If, therefore, Government believes that the landed property will be more rapidly improved and increased in value under a permanent settlement than under one for a prolonged period, liable to revision at its expiry, it seems to me only consistent with the correct principles of taxation to say, let a permanent settlement by all means be conceded, but clearly reserve the right to levy additional taxes from the agriculturist,† when it should appear that in providing for necessities of the State, such a course was only just towards the other classes of the community. That time might never come. Still it would, I think, be the only mode of reconciling the measure with intelligent principles.

5. So much for the principle of a permanent settlement. I proceed to the question of the expediency of introducing such a measure into the Punjab.

6. Now

* This is already possible under the Income Tax Act, as regards owners of land receiving an income therefrom of more than 600 rupees; but the amount of land tax, which is the measure of their present income taxable under the Income Tax Act, might, in progress of time, under high prices, and the improvement of vast wastes, bear no relation whatever to their future actual incomes.

* The object of the Government is to raise revenue in an equitable manner.

6. Now it is patent that a permanent settlement of the land tax must be based on an assessment which can, under the ordinary circumstances of future ages, be borne by the taxes. A permanent settlement breaking down would place the Government in a position akin to the ridiculous, and throw doubts upon the permanency of any settlement, doubts which it is the prime object to remove. Further, to insure the results which form the main object of a permanent settlement, viz., speedy and universal increase in the wealth of the agricultural classes, with its consequent beneficial influences through the social fabric generally, the assessment which is to be made permanent should be a light one. It follows, I think, that before offering a permanent settlement, we should be quite sure of our ground that the assessment is one which can be lightly borne in perpetuity. The question then for us is, are we sure of this in the Punjab? I think there is room for doubt on this point. Our settlements are but recently made. Some have had to be modified still more recently. Can we say they are sound now? They are still novelties in the minds of the people. Would they accept an offer of permanency, if made to them? In some districts we hardly know with whom we have in effect made the settlement, whether with a community or with individuals. Temporary expediency has had a large share in influencing our proceedings. The administrative wheels having been oiled for the day, we have passed on to other pressing duties without a well-grounded assurance that the machine, as regards the land assessment, will work for any time without requiring to be taken to pieces again and refitted. We have been contented with trying to err on the right side; and even in this, after every effort, have not always succeeded. In fine, I think we must be content for some years to pursue the same course of good intentions, and await the development of our measures hitherto introduced, and the elements affected by them. Granting all the arguments of those who plead for such a measure, I know of no district in the Punjab which, so far as my judgment leads me to believe, is ripe for a permanent settlement of the land revenue.

COPY of a Letter from the Deputy Commissioner of Loodiana, to the Secretary to Government of Punjab (No. 711), dated 17 December 1861.

I HAVE the honour to acknowledge your letter, No. 1928, of 7th instant.

2. On the general question, as to whether the present settlement of the land revenue in the Punjab and its dependencies should be made permanent, I have some hesitation in offering an opinion, for I have not sufficient data before me. I believe that some districts are so sparsely populated, and contain so much unreclaimed land, that a guarantee against any future enhancement of the Government demand would either stereotype the existing state of things where cattle is the wealth most prized, or would entail a very unnecessary loss upon the State where the people are thrifty agriculturists. In both cases it would be an inadequate, even if at all practicable, remedy to separate off the waste tracts and hold them at the disposal of Government. In many cases this could not be done without a breach of the settlement compact, and in all perhaps (in the plains districts to which I am alluding) the result would be a failure,—the contiguous villages continuing to make use of the pasturage or jungle, and no outsider being ever likely to intrude. Such districts are in the nature of a grant of waste land during the early years of the grantee's lease given on prospectively increasing rents, and to perpetuate the existing settlement would be to forego the increased revenue likely to accrue on expiry of that term without meanwhile obtaining the $2\frac{1}{2}$ or 5 rupees an acre fixed upon unassessed lands.

3. I think, therefore, the general question must depend very much upon the proportion of area in the Punjab, which is in a transition state towards reclamation, and the extent to which the arguments in paragraph 49 of the Government Resolution may be considered applicable.

4. But as regards fully populated and cultivated districts, there can, I imagine, be no doubt that, where the settlement is a good one, it might with every advantage be made permanent. Errors in the record of rights, which in the best settlement must be more or less numerous, will not be affected, and may come up for correction from time to time as they do now. The demand being moderate, it cannot but benefit the community to fix it and withdraw any motive for wilful deterioration, as the present term of settlement draws to a close. The difficulty I see here is the procedure in event of default, whether intentional or from calamity of season, or deterioration of soil. With our village communities enforced sale is always a difficult measure, with or without the right of pre-emption. We escape it now by the simple expedient of reducing the assessment; but when that is not available, we shall be reduced to kham management, with all its disorganizing effects upon the village community and loss to Government. A law fixing the assessment against increase, but not against reduction, would fail in the justice of reciprocity between the contracting parties; but I see no other remedy for the evil described.

5. Alluvial lands must necessarily remain an exception to any rule of permanent settlement, and fresh lines of demarcation will probably be required along all the rivers.

6. Where Government has alienated its revenue, the assignee's voice will generally be against the proposal which bars him from all hope of augmented income, and detailed rules

will be required as to what status of a Jagheerदार should entitle his objections to a hearing. This class is rather looking forward to the delights of a return to levying payments in kind (by Buttai) than to any measure of emancipation of the zemindars.

7. Regarding the second point alluded to in the Government letter, viz., the value of a legislative sanction for settlements not made permanent, I would remark that the sanction of the Local Government ought, I think, to be pronounced by the legislative to be a valid and final sanction. No further confirmation would then be required to improve the tenure of land.

8. I beg to return the copy of Colonel Baird Smith's Report, as requested.

COPY of a Letter from the Deputy Commissioner of Umballa, to the Secretary to Government of Punjab, (No. 3); dated 4 January 1862.

IN reply to your letter, No. 1927, dated 7th ultimo, I have the honour to state that, after consulting with some heads of villages and native officials, I am of opinion that the value of a permanent assessment in their eyes rests mainly on the lightness or heaviness of the jumma as compared with present assets; none of them seem to feel that, if they were assured of the permanence of the present arrangements, they would, by greater exertions or expenditure of capital, do more than they do at present to render the incidence of the land tax lighter. Where the jumma is very light, they would, of course, be glad to be assured of its continuance; and perhaps in the western parts of the district, they might value the boon sufficiently to pay a small nuzrana, or agree to a slight increase in the jumma; but none to whom I have spoken in the eastern Pergunnahs seem to be willing to show their appreciation of it in this way.

2. I have seldom found that natives apprehend or give a clear reply to a question put hypothetically, and they are, as it is well known, naturally averse to anything new. They did not at first appreciate the advantages of a lengthened term of settlement, so it is hardly to be expected they would at once apprehend the question now proposed which is of greater magnitude. So that I do not consider that this is an absolute reason for rejecting the proposition; but still it shows that the concession is not at present desired on valid grounds.

3. I think that a very good test as to whether a permanent settlement in the existing state of tenures does confer any additional value on land over one for 20 or 30 years would be whether, in the older settled districts of the North Western Provinces, the value of land has been found to fall as the term of settlement was approaching its expiration.

4. In this district the value seems to me to rise rather than to fall as the settlement gets older; but the end of it as yet perhaps too remote for it to affect the value of land; but should it not have fallen in the districts of the North Western Provinces three or four years before the expiration of the old settlements, then I should say that the known moderation of Government affords all the security that is required in the present state of affairs for the continuance of an equitable scale of assessment.

5. I am told that there was a fall in value in Saharunpore during the last year of the old settlement, and at the same time a good deal of land was thrown out of cultivation; but this derangement appears to have been of too short a continuance to deserve much weight.

6. If large tracts of land were held by single proprietors, particularly Europeans, with capital, the conditions of the question would be altered.

7. It seems to be admitted in Colonel Baird Smith's Report, that the rise in the value of land has been progressive and not checked by the lapse of a considerable portion of the term of settlement, and is attributed to many causes besides the protracted fixity of demand, and too much weight should not, therefore, be given to this cause only.

8. It is true, that, as stated in the 64th paragraph of his Report, the proportion revenue should bear to rent has been reduced; but, owing to the increased extent of cultivation, I believe the general result of settlements in the North Western Provinces has been to increase the Government revenue.

9. The first assessments in the Punjab were made at a time when agricultural produce was very cheap, the production having been greatly and suddenly increased while the facilities of export were totally undeveloped.

10. The improvements which are now being yearly effected can hardly fail to give an additional value to land and its produce; and, considering the difficulty of introducing new systems of taxation, it seems hardly expedient for Government to resign its claim to an enhanced land revenue when the time comes, as it probably will, that it can be paid with greater ease than the present low one.

11. I would also suggest for consideration that a perpetual settlement could hardly be introduced without a more rigid enforcement of the law of sale for balances than is at present

present in force. The question of reducing the jumma of a permanently settled village could hardly be entertained, and in every case of default land must be sold.

12. In considering any revenue question with reference to the Umballa district, the way in which it will affect the Jagheerdars, who receive six out of the 10 lacs of its revenue, cannot be overlooked. They all consider that they have lost severely by the present settlement, and any proposal to give it permanency would be extremely obnoxious to them, while the zemindars would hardly be thankful for the boon.

13. I regret the delay which has occurred in replying to your reference; but the subject required consideration, and I did not at first notice that the reply was called for within 15 days.

(No. 32.)

From *J. B. Peile*, Esq., Acting Under Secretary to the Government of Bombay, to *W. Grey*, Esq., Secretary to the Government of India (No. 1627); dated 23 April 1862.

WITH reference to your communications, Nos. 2036 and 6, dated respectively the 7th October and 2d January last, I am directed to forward printed copies of the Minutes noted in the margin, containing opinions of the Members of this Government respecting the "question of the permanent settlement of the land tax in this Presidency."

Minute by his Excellency the Governor, dated 3d March 1862.

Minute by the Hon. Mr. Reeves, dated 7th March 1862.

Minute by the Hon. Mr. Frere, dated 31st March 1862.

(No. 33.)

MINUTE by His Excellency the Governor of Bombay; dated 3 March 1862.

It is a maxim of the natives of this country, that the perfection of financial administration may be measured by the extent to which an equitable land tax is made to contribute to the support of the State, and that the excellency of a Government may be estimated by the absence of direct and indirect taxation.

2. I have never doubted the truth of this opinion, seeing that the native feels that, in return for the payment which he makes to the State, he acquires the right to occupy or possess his land, and that in that right he receives an equivalent which to his mind deprives his payment of the essential characteristics of a tax.

3. This financial system is one of the most ancient institutions of this country, and is founded on the right of the State to a share in the produce of the land; a right which is proved not only by the universality of the practice, but by the fact that exemption from the obligation to pay is regarded as a much cherished privilege, which has either been forcibly acquired in olden times, or has been directly conferred by the State upon the possessor as a reward.

4. It is frequently the case that the title of the holders or occupants of the land to enjoy the usufruct of the soil has become more or less complete, and their rights of occupancy more or less permanent, according to usage and a variety of circumstances. But exemption from payment of a share of the produce is nowhere the rule, but the exception; and I consider it would be generally impolitic, by fixing permanently at their present money value the demands of the State on the land, to transgress a principle of finance so sound and correct as the one I have adverted to, because it is the tendency of prices and wages to increase; consequently the expenses of administration must increase. If, therefore, the income of Government from the land be stationary, or nearly so, which, by fixing the assessment permanently, must be the case, recourse must be had to increased taxation, both direct and indirect.

5. It will be perceived that in these observations I advert only to the fixity of settlement in respect to the money demand, and I desire it to be understood that I do not advocate any variation in the just and moderate proportion of the gross produce on which the present assessments are based. But, as the prices of produce are yearly increasing, I see no infringement of the original conditions of the settlement, nor will it be so felt by the ryot, if, on the expiration of this experimental settlement, the Government land tax should be re-adjusted according to those increased prices, and to other circumstances; provided that no revision is made within such long period of time, or otherwise than on considerations of the most sound character, and upon well-established facts.

6. This a 30 years' settlement, such as has been introduced into a considerable portion of this Presidency, and is in progress throughout the rest of it, fulfils. The moderation with which the assessment has been fixed, has given the right of occupancy a high marketable value; and, under the settlement in some districts, the prosperity of the people has increased in a marked degree. But I do not concur with the late Colonel Baird Smith, that

to intensify these results, which are similar to those described by him as having taken place under the settlement of the North West Provinces, we should here have recourse to a permanent settlement of the land tax; and it appears to me that more is due to those other elements of our settlements which he enumerates, viz., "security of titles, moderation of assessment," and, above all, "the recognition and careful record of rights," than to the mere "protracted fixity of the public demand."

7. For in this Presidency it had long been sought to perfect a ryotwary system by acknowledging no others than the Government and the poor peasant, and imposing on the latter all the burdens that he could stagger under in support of the former. That system naturally proved detrimental to the lands and all their inhabitants, excepting here and there the usurer. The result was that which must infallibly ensue under any Government which itself lives from hand to mouth, keeps no surplus money for advances, and maintains no stores for use, when in hard times seed corn is needed. Constant remissions, and still further decline of villages, became the ordinary characteristics of provinces which had already undergone the harassing and depopulating effects of more than two centuries of wars and plunder. The authorities at length resolved on retrieving a position for agriculture. It would have been better, in my opinion, to have recognised some dormant tenures, and to have resuscitated others. But habit and the example set by predecessors, whose wars, recklessness, and oppression had, generally speaking, exterminated the more respectable classes of landholders, served to keep out of view this best element of the success which depends on the possession of capital or of good credit. So they did the next best thing with a people who are not generally Mahomedan spendthrifts, but industrious Hindoos. After a survey, they imposed a very moderate assessment. This is now in operation, and is to endure for a period of 30 years. It is obvious that this being the first attempt on this side of India, within the limits of British dominions, to apply to cultivation a method of extending and improving it, and to population an encouragement to immigrate and increase, it would be an utter disregard of the rights of the Government in land tax if the present settlement were to be viewed as the limit of our demand. All that is here wanted, short of the reconstruction of such classes as zemindars and meerasdars, with their worth and influence, is to allow such a duration of settlement (and 30 years is not amiss for the purpose) as will combine the objects of increasing at future periods the moderate and just demands of the Government, while reconciling the ryot, for his own sake, to devote his industry and the utmost of his small means to the improvement of his long holding.

8. It is, in my opinion, another good reason for not settling our land tax permanently, that there can be no doubt in any unprejudiced mind that the lands are not yet held, generally speaking, as they might without difficulty be declared to be held, on a title still more highly esteemed and cherished. However well satisfied the ryot may be with the security of his right of his occupancy under the Revenue Survey Settlement, the term meeras conveys to his mind a sense of ownership, which no assurance that so long as he pays the Government revenue he will not be disturbed in the possession of his fields can give him. This was recently illustrated to me in a forcible manner by an intelligent Patell, who, in answer to a question put to him, with the view of eliciting the estimation in which he relatively held his "meeras" and "ghatkoollee land," replied: "The meeras is mine; the ghatkoollee is yours." And, again, as was emphatically said in my hearing, on another occasion, by a Native District Deputy Collector, and at the same time by an experienced mamlutdar, "they hold affectionately to 'meeras' (meeras ko bohot dil lugta)."

9. With reference also to the possibility of having hereafter permanently to impose new taxes, I object to the proposal for abandoning the right of Government to the improved value which increased prices should give to the right of the State to a share of the produce of the fertile soil worked at small cost in money and labour—a right which has been reserved to it from ancient times, and which has, until recently, enabled it practically to exempt the people of this country from the burdens of taxation which press so heavily on the communities of Europe.

10. I shall lament to see a departure from this wise system, nor do I see the necessity of the proposed measure, for the agricultural classes are, on all hands, admitted to be improving, and to be becoming gradually possessed of some capital; and those works of irrigation, which must mainly be the mainstay to protect them in seasons of drought, can only be undertaken on an organized system, which no present permanent settlement would insure being ever executed, but which it is the duty of the Government to undertake whenever it has available resources.

11. No legislative enactments have been found necessary in this Presidency to give effect to the 30 years' settlements now in operation, and none appears to be necessary.

(signed) George Clerk.

MINUTE by the Honourable Mr. Reeves, dated 7 March 1862.

I CONCUR in opinion with His Excellency the President, that Colonel Baird Smith's proposal for a permanent settlement would, in the present state of this Presidency, be a glaring financial error.

2. There has always been a tendency to conclude that any measure considered good and applicable in Bengal and the North West Provinces, must be the same in Bombay. But here our rates have been pitched at the minimum for a period of 30 years, with the expressed intention of a revision, after consideration of prices, at the end of that term, when we are sure of a permanent increased revenue equal, or nearly equal, to what it was at first supposed the income and license taxes combined would yield in this Presidency. To sacrifice this, particularly when it is considered that we have no scheme of taxation to replace it, and that we do not even yet know how to tax the mercantile and other non-agricultural classes equally and effectually, when we are anxiously looking about for money for roads and public works, is not to be thought of.

3. Without committing myself to the opinion that a permanent settlement will never be appropriate, I am perfectly satisfied that the time for such a settlement in this Presidency is so remote, that it is a waste of time to consider of it. We are emerging steadily and most satisfactorily from the evil effects of wars, famines, oppressive assessment, and corrupt management, which were everywhere manifest when we took possession of the country. In Guzerat, it is true, a revenue survey was not set on foot until the lapse of a considerable period. Captain Cruikshank and Captain Keys, however, were conducting it, to my personal knowledge, as early as 1826. In the Deccan no time was lost in attempting the work of improvement, and Mr. Pringle commenced a revenue survey under Mr. Elphinstone's own directions; but after much money had been expended, it was found that operations in the Deccan had been left too much to native execution, and that the work of assessment (the measurements were generally good) was founded on the grossest bribery and corruption; a stop was, therefore, put to this survey, and the Guzerat proceedings ceased much about the same time. The present scheme of survey and assessment was matured by officers thoroughly acquainted with all former errors and mismanagement, and has been entirely successful in the imposition of an assessment extremely moderate and equal, and in giving to occupants a tenure as secure as they possibly can have. Government has declared that they have no claim to the soil so long as the assessment is paid. But it appears that one or two collectors in the Deccan have lost sight of this provision, and failed to impress it on the minds of occupants. The meerasdar, equally with the ordinary occupant, is bound to pay the assessment, and his land is responsible in default equally with that of the ordinary occupants. The only difference between the two is, that the meerasdar has hitherto had the privilege of re-entry on land deserted by him for a period of 30 years, and even longer, a privilege generally and properly condemned as opposed to reason, and productive of the grossest injustice and oppression.

4. The Honourable Court of Directors combined with the Government of India and successive governments of this Presidency in considering that this privilege was entirely wrong, and ought to be put an end to by legislation. But Lord Elphinstone's government, after very anxious and careful consideration, came to the conclusion that, although the civil courts occasionally reinstated a meerasdar, the measures which had been adopted in connection with the revenue survey, would gradually neutralise the injurious effects of the re-entry privilege, which would die out without any violent interference, and it was, therefore, decided that legislation was unnecessary.

See Mr. Secretary Ellis's letter, No. 4420, dated 5th November 1859, to the Legislative Councillor of the Council of India for Bombay.

5. Act XIV. of 1859, which limits all claims to 12 years, has most probably laid a salutary restriction on the claims of a meerasdar, and thus effected a most thorough coincidence between the tenures of meerasdar and ordinary occupant.

6. The solitary remnant left to the holder of meeras will be the name, but it ought to excite no surprise that, in the two collectorates of Poona and Ahmednuggur, meerasdars try to cry up and enhance the value of their own lands by crying down the lands of others held on exactly the same tenure. I am perfectly willing, however, to give ordinary occupants in the Deccan, Sattara, and part of Sholapore, the only localities where meeras exists, the name or title, if it can be shown satisfactorily, after full explanation to them of the rights they now enjoy, that they really desire it. Collectors and their assistants should be directed to set forth to the occupants that the only distinction remaining is the name; and if they then require the name, it should be given them "gratis." In the Southern Maratha country the cultivators are none of them meerasdars, though they are possessors as ancient as any holder of that denomination, and are in very much better circumstances.

7. I beg to refer to the three Minutes I have written on the subject of meeras and the effects of the revenue survey, for a more detailed explanation of my views.

8. My opinion, then, is that the occupants under Survey Rules have a tenure in no degree wanting in fixity and security; its sole liability is that of paying a moderate assessment, and it differs in no respect from that of a holder of an extensive leasehold property in England, or, in fact, from that of any person of any rank paying taxes in the United Kingdom.

9. The permanent settlement cannot possibly add anything to this security ; and legislation, by meddling with what has hitherto been considered as a matter of course, would do harm. No one doubts that when Government give a lease (not of land, but of rates) for 30 years or 50 years, the rates will not be changed. Occupants sell and mortgage their lands ; they would not do this if they doubted the word of Government, or the fixity of their tenure ; and an officious interference with well-understood customs and maxims entirely uncalled for would excite the wonderment of the people, and perhaps their distrust, but it would certainly not tend to raise their opinion of the wisdom of the Legislature.

(signed) *H. W. Reeves.*

MINUTE by the Honourable Mr. *Frere*, dated 31 March 1862.

AFTER carefully considering Colonel Baird Smith's report, and these Minutes, I have nothing to add but my general concurrence with His Excellency the President and my honourable colleague, Mr. Reeves.

2. I have already given my opinion upon the Meerassee tenure, so need not reiterate my objections to its revival, except with the modifications proposed by Mr. Reeves ; my firm belief being that the ryots already possess all that is wholesome of the Meerassee right, if the collectors and other revenue officers only took the trouble to show it to them.

3. I annex translation of a memorandum by Ram Rao Bheemajee, Desaee of Dharwar, which the Honourable Mr. Reeves left with me to record on this subject, the papers having passed him when he received the memorandum ; and I would point to the public works undertaken by the villagers in Dharwar (of which the Secretary will be good enough to annex a list) as showing that, with the 30 years' guarantee of the revenue survey and the present low rates, the ryots have means of their own to lay out on improvement, and feel that they have sufficient hold of the land to lead them to embark in those improvements for the general good ; and as it is well known, even to the ryots themselves, that the lands which have been already surveyed will, on the expiration of the 30 years, bear an increased assessment of from 25 to 50 per cent., I am satisfied that a more permanent settlement than we now have is not required by the ryots, and would be a serious sacrifice by Government, even if it was introduced into those villages alone where the whole land had been taken up, and consequently where the profit or loss, which would be sustained, might be apparent ; but even then we must recollect that the bargain is all on one side ; for if by any accident it should happen that prices were to fall, and the assessment was found to be too high, Government would be obliged to reduce the rates, while, on the other hand, the ryot would reap the benefit of all unforeseen advantages.

(signed) *W. E. Frere.*

(No. 34.)

From *A. D. Robertson*, Esq., Acting Chief Secretary to the Government of Bombay, to *E. C. Bayley*, Esq., Secretary to the Government of India, (No. 1,938) ; dated 16 May 1862.

I AM directed to forward the accompanying copy of a statement showing the works of public utility constructed and executed in the Dharwar Collectorate during the year 1860-61, either wholly or partially at the cost of private individuals, referred to in paragraph 3 of the Honourable Mr. Frere's Minute* on the subject of the redemption of land tax in this Presidency, dated the 31st March last.

* Printed copy forwarded to the Government of India, with Mr. Acting Under Secretary Peile's letter, No. 1627, dated 23d April 1862.

2. A copy of the translation of Ram Row Bhimajee's memorandum, mentioned in the same paragraph of the Honourable Mr. Frere's Minute, is also annexed.

(No. 35.)

STATEMENT showing the Works of Public Utility Constructed or Executed in the Dharwar Collectorate during the Year 1860-61, whether wholly or partially at the cost of Private Individuals, and, in the latter case, showing the Extent of Contribution from Private Sources.

DISTRICTS.	Places where Constructed.	Description of the Works.	Cost of each Work, and Proportions of Cost defrayed by Government and Private Indi- viduals respectively.			Names of Private Individuals who have either Wholly or Partially Defrayed the Cost of each Work.
			Private Contributions.	Government Contributions.	Total Cost during the Year 1860-61.	
			Rs. a. p.	Rs. a. p.	Rs. a. p.	
Dharwar Talooka - -	Dharwar to Gurrug - -	Road repairs - -	237 1 2	520 - -	456 15 7	Villagers of Gurrug.
	Marudghee - -	Constructing chowree - -	140 - -	70 - -	87 14 1	- ditto of Marudghee.
	Near Gurrug - -	Repairs to road - -	332 9 6	67 6 6	389 15 10	- ditto of Gurrug.
	Kelgherry - -	- ditto sluice - -	183 10 -	26 14 9	45 14 9	- ditto of Kelgherry.
	Moogood - -	- ditto tank - -	68 8 -	68 8 -	82 14 8	- ditto of Moogood.
	Beltigherree - -	Constructing chowree - -	71 12 -	75 - -	143 12 -	- ditto of Beltigherree.
	Nowloor - -	Repairs to tank - -	627 - -	119 8 9	615 8 6	- ditto of Nowloor.
	Karkope - -	Constructing chowree - -	114 - -	- -	114 - -	- ditto of Karkope.
	Dharwar - -	Repairs to Halgherry tank.	4,735 12 -	3,649 - -	2,687 4 7	Town people and Municipality of Dharwar.
	Ditto - -	Constructing cistern in Halgherry Tank.	480 - -	- -	11 1 2	- ditto - - - ditto.
Hooblee Talooka - -	Pursapoor - -	Repairs to tank - -	19 9 -	143 15 6	160 8 6	Villagers of Pursapoor.
	Turris and Dhoondsee - -	- ditto road - -	877 1 -	620 - -	274 7 10	- ditto of Turris Dhoondsee.
	Gunjee Guttee - -	- ditto tank - -	138 5 3	134 7 3	267 15 -	- ditto of Gunjee Guttee and neighbouring villages.
	Chick Hurkoonee - -	- ditto - -	250 - -	200 - -	51 15 2	- ditto of Chick Hurkoonee.
	Heeree Hurkoonee - -	- ditto - -	1,003 6 -	196 10 -	621 15 -	- ditto of Heeree Hurkoonee.
	Hullihal - -	Constructing well - -	113 3 -	103 5 1	182 - 3	- ditto of Hullihal.
	Muttikuttee - -	Repairs to tank - -	300 - -	200 - -	433 8 3	- ditto of Muttikuttee.
	Bam Samoodra - -	Constructing chowree - -	75 4 -	41 7 6	86 3 2	- ditto of Bam Samoodra.
	Ramonkope - -	- ditto - -	73 - -	70 - -	95 7 7	- ditto of Ramonkope.
	Pursapoor - -	Repairs to tank - -	400 - -	200 - -	97 8 10	- ditto of Pursapoor.
	Bomapoor Indapoor - -	- ditto - -	150 - -	- -	37 2 1	- ditto of Bomapoor Indapoor.
	Karrywad - -	- ditto - -	89 - -	206 - -	22 12 -	- ditto of Karrywad.
	Boodihal - -	Constructing chowree - -	75 - -	75 - -	104 14 6	- ditto of Boodihal.
	Ditto - -	- ditto well - -	271 4 -	200 - -	397 4 3	- ditto - ditto.
Nowl Goond Talooka - -	Tirlapoor - -	Repairs to tank - -	1,900 - -	1,200 - -	467 4 7	- ditto of Tirlapoor.
	Pudasaor - -	Constructing chowree - -	55 - -	75 - -	129 15 4	- ditto of Pudsapoor.
	Ebrampoor - -	Repairs to tank - -	685 - -	- -	286 9 9	- ditto of Ebrampoor.
Dumbal Talooka - -	Dumbal - -	Constructing well - -	100 - -	- -	29 11 -	A ryot of Dumbal, by name "Rayapa."
	Koorut Rottee - -	- ditto - -	4,089 9 7	- -	1,968 12 4	A ryot of the village named "Kumrapa."
	Dumbal - -	Repairs to tank (sluice) - -	181 7 6	- -	180 12 2	Villagers of Dumbal.
	Hunmonhal - -	- ditto chowree - -	166 9 1	- -	64 - -	- ditto of Hunmonhal.
Hungal Talooka - -	Ainkerry Hungul - -	Repairs to tank - -	400 5 2	320 12 -	170 3 1	- ditto of Hungul.
	Dhurma River - -	Constructing bridge - -	4,452 9 4	547 6 8	161 9 4	- ditto of Hungul and all the neighbourhood.
	Chundergherree - -	- ditto well - -	2 12 -	200 - -	15 11 6	- ditto of Chundergherree.
	Kuncheenagloor - -	- ditto chowree - -	68 - -	50 10 11	45 1 6	- ditto of Kuncheenagloor.
	Hooluttee - -	Repairs to tank - -	600 - -	200 - -	272 7 6	- ditto of Hooluttee.
	Dhurma River - -	Constructing canal - -	3,825 7 7	1,481 8 5	1,751 9 3	- ditto on line of canal.
	Belgul - -	- ditto - -	1,500 - -	1,491 - -	2,012 9 7	- ditto - ditto.
	Konunkope - -	Repairs to tank - -	384 - 3	200 - -	460 4 2	- ditto of Konunkope.
	Mellehullee - -	Constructing well - -	500 - -	300 - -	325 - 6	- ditto of Mellehullee.
	Geershunkope - -	- ditto chowree - -	61 12 -	30 10 4	89 11 11	- ditto of Geershunkope.
	Hunkunhully - -	- ditto canal - -	1,155 7 10	200 - -	1,104 6 8	- ditto of Hunkunhully.
	Doleshwur - -	- ditto chowree - -	100 8 -	46 14 4	93 10 6	- ditto of Doleshwur.
	Hungul - -	- ditto well - -	416 8 8	- -	322 10 11	- ditto of Hungul.
	Moodenoor - -	- ditto chowree - -	166 4 -	48 12 -	116 11 5	- ditto of Moodenoor.
	Goorenhullee - -	- ditto - -	67 4 10	67 4 9	55 15 3	- ditto of Goorenhullee.
	Singapoor - -	Repairs to tank - -	118 15 4	31 - 8	112 5 4	- ditto of Singapoor.
	Badumguttee - -	- ditto - -	200 - -	100 - -	284 6 1	- ditto of Badumguttee.
	Kureegoodree - -	- ditto - -	17 3 5	- -	17 - 3	- ditto of Kureegoodree.
Rancebednoor Talooka - -	Gootul - -	- ditto Hereekeree tank - -	2,173 8 -	2,050 8 -	361 8 -	- ditto of Gootul.
	Assoondsee - -	- ditto tank - -	1,030 - -	9,318 - -	786 6 9	- ditto of Assoondsee.
	Honunttee - -	- ditto - -	3,356 - -	3,356 - -	2,699 7 -	- ditto of Honunttee.
	Goodgoodapoor - -	- ditto houd or reservoir - -	547 - -	200 - -	713 3 8	- ditto of Goodgoodapoor.
	Beadghee Reservoir - -	- ditto - -	1,158 8 -	200 - -	629 12 4	- ditto of Beadghee.
	Beadghee - -	Constructing chowree - -	207 4 -	75 - -	173 15 4	- ditto - ditto.

STATEMENT showing the Works of Public Utility Constructed or Executed in the Dharwar Collectorate, &c.—continued.

DISTRICTS.	Places where Constructed.	Description of the Works.	Cost of each Work, and Proportions of Cost defrayed by Government and Private Indi- viduals respectively.			Names of Private Individuals who have either Wholly or Partial- ly defrayed the Cost of each Work.	
			Private Contributions.	Government Contributions.	Total Cost during the Year 1860-61.		
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>		
Bunkapoor Talooka	Yettinlullee - -	Repairs to tank - -	418 - -	417 - -	58 3 4	Villagers of Yettinlullee.	
	Seerbudghee - -	- ditto - -	2,000 - -	3,108 - -	2,897 6 7	- ditto of Seerbudghee.	
	Near Anikerry, between Hoolgoor and Tiggaon.	- ditto road - -	125 3 2	- -	119 13 5	- ditto of neighbouring villages.	
	Gungaloor - -	- ditto canal - -	324 12 -	- -	157 6 5	- ditto of Gungaloor.	
	Dewgherree - -	- ditto houd or reservoir - -	1,501 7 -	200 - -	217 15 9	- ditto of Dewgherree.	
	Haweree - -	- ditto canal - -	1,214 4 -	- -	445 4 6	- ditto of Haweree.	
Kode Talooka	Sattinlullee - -	Repairs to tank - -	675 - -	2,602 - -	50 - -	- ditto of Sattinlullee.	
	Kuchwee - -	- ditto Soolekerry tank - -	375 4 7	174 11 5	211 14 6	- ditto of Kuchwee.	
	Bengherry - -	- ditto tank - -	200 14 10	- -	200 14 10	- ditto of Bengherry.	
	Hawasbhawi - -	Constructing chowree - -	228 12 -	75 - -	167 7 10	- ditto of Hawasbhawi.	
	Hoosoor - -	Repairs to Toombrucuttee tank.	200 - -	200 - -	74 15 10	- ditto of Hoosoor.	
	Alulgherry - -	- ditto chowree - -	42 6 -	42 6 -	43 5 -	- ditto of Alulgherry.	
	Hullibial - -	- ditto - -	73 14 -	50 - -	18 3 10	- ditto of Hullibial.	
	Massoor - -	Constructing chowree - -	245 4 4	75 - -	133 - -	- ditto of Massoor.	
	Hooluttee - -	Repairs to tank - -	300 - -	300 - -	5 - -	- ditto of Hooluttee.	
	Tillowlee and Koosnoor	- ditto to canal - -	1,892 7 -	568 9 -	467 7 1	- ditto of Tillowlee, Koosnoor and others on the line.	
	Nuswee - -	- ditto tank - -	3,731 - -	3,731 - -	7,626 8 -	- ditto of Nuswee.	
	Massoor - -	- ditto Copudkerree tank.	715 - -	715 - -	1,418 8 11	- ditto of Massoor.	
	Lingapoor - -	- ditto chowree - -	60 - -	60 - -	83 2 4	- ditto of Lingapoor.	
	Gungayecope - -	- ditto tank - -	198 12 4	200 - -	321 - -	- ditto of Gungayecope.	
	Seedanoor - -	- ditto houd or reservoir - -	416 - -	200 - -	415 2 10	- ditto of Seedanoor.	
	Goodenlullee - -	- ditto chowree - -	18 - -	24 - -	24 8 -	- ditto of Goodenlullee.	
	Chupprudhullee - -	- ditto houd or reservoir - -	50 - -	50 - -	57 - -	- ditto of Chupprudhullee.	
	Koadmoghee - -	- ditto - -	200 - -	200 - -	271 - -	- ditto of Koadmoghee.	
	Koorubgond - -	Constructing chowree - -	122 - -	75 - -	120 5 7	- ditto of Koorubgond.	
	Jokinlullee - -	Repairs to tank - -	70 - -	40 - -	40 - -	- ditto of Jokinlullee.	
	Agurguttee - -	Constructing chowree - -	75 3 -	50 - -	83 12 -	- ditto of Agurguttee.	
	Chickbussoor - -	Repairs to chowree - -	14 6 -	- -	14 6 -	- ditto of Chickbussoor.	
	Kaguelly - -	- ditto calwa or canal - -	274 10 6	350 - -	520 3 6	- ditto of Kaguelly.	
	Kunvessidgherree - -	- ditto houd or reservoir - -	95 - -	30 - -	60 - -	- ditto of Kunvessidgherree.	
	Shunkuruhlullee - -	- ditto - -	100 - -	63 2 -	67 - -	- ditto of Shunkuruhlullee.	
	Seergoopee - -	Constructing bridges -	17,700 - -	13,500 - -	20,864 - -	- ditto of all the neighbour talookas.	
	Nulowdee - -						
	Hebsoor - -						
	Mulligur - -						
	Municipal Expenditure:						
	Town of Dharwar -	Water supply, cleansing, &c.	- -	- -	1,265 9 1	Municipality of Dharwar.	
	Town of Bettigherry -	- ditto - -	- -	- -	1,555 - 9	- ditto of Bettigherry.	
	Town of Hooblee -	- ditto - -	- -	- -	8,045 2 3	- ditto of Hooblee.	
Town of Guddug -	- ditto - -	- -	- -	727 3 7	- ditto of Guddug.		
Town of Raneebednoor -	- ditto - -	- -	- -	951 2 1	- ditto of Raneebednoor.		
GRAND TOTAL - - - Rs.			74,159 14 1	55,938 7 10	72,564 14 5		

(signed) A. D. Robertson,
Acting Chief Secretary to Government

Note.—Many of these works have appeared in former Returns, and will appear in future ones, more than one year being taken to complete them; but 3d column correctly shows the expenditure during the year 1860-61.

TRANSLATION of a Memorandum by *Ramrao Bheemajee Dessayee*, late Akbarnavees of Kolapore.

THE Hon. Mr. Reeves having requested me to submit my opinion relative to the circumstances and condition of the agricultural classes in the Deccan and the Southern Mahratta Country under the British Government, I beg to state as follows:—

1. My family holds the Dessaeegiree Wuttun of the Dharwar District. My ancestors conducted the duties of that office; and I myself did so for a considerable time, until I was appointed to the stipendiary situation of Akbarnavees at Kolapore, on behalf of the British Government. The office of Dessayees is hereditary. They are generally called zemindars, or landowners. It was their duty to manage, on account of Government, the cultivation of the land and the collection of the revenue due thereon. Having personally conducted the duties of my hereditary office of Dessayee for a long time, and also had many opportunities of observing the revenue administration, as affecting the interests of the State, and the condition of the agriculturists, especially in the collectorates of Dharwar and Belgaum, I am able to offer an opinion on these points with a degree of confidence which I should not otherwise have felt.

2. Before proceeding to describe the present circumstances of the ryots, it is necessary that I should say a few words respecting their condition prior to the introduction of the British Government. Under the Mahomedan and Maratha Governments, there were neither certainty of tenure nor proper police arrangements for the protection of the rights of the agriculturists—blessings which have been brought to them by the British Government.

3. Under the former Governments, wealthy and adventurous persons, by spending large sums of money in the shape of *douceurs* to the influential functionaries at Court, and offering to Government a larger than the average amount of revenue, obtained mahal or districts in farm; they received full and absolute powers from Government, and were called “Sirsoobas.” The sirsoobas, or farmers, sub-let portions of their farms to those persons who offered the largest amount of revenue, and delegated their own powers to them. The natural effect of this farming system was, that those who offered the largest amount of rental obtained lands to the prejudice of the actual occupants. In addition to the stipulated amount of revenue, the ryots were frequently called upon to pay extra cesses for defraying the expenses of the tour of the Sovereign, who, in the first instance, collected the amount from the sirsoobas, and authorised them to reimburse themselves by laying the ryots under contribution to a proportionate extent: an authority which was not unfrequently abused. Thus, the sirsoobadars, or farmers, the mamladars, or sub-farmers, and the zemindars, who farmed portions of districts from them, consulted their own interests, by the collection of extra cesses from the ryots, without any regard to their ability or otherwise to bear those contributions. The ryots were also subjected to a great variety of other annoyances, such as impressment for gratuitous labour, by which they were compelled to desert their homes and lands, and seek refuge in the estates of petty chiefs, jahageerdars, &c., where they had the prospect of an immunity from these vexations. They were, therefore, unable to bring the whole of their lands under the plough; those lands which they did cultivate did not yield them a fair outturn, from not having been prepared at the proper season, or from not having been sufficiently manured, or from some other similar causes; and the consequence was, that the ryots were continually subjected to losses more or less. Many persons were driven by this state of things, and the hopelessness of obtaining redress from the Sovereign, to the commission of murder, robbery, cattle-lifting, arson, and other atrocious acts. Such was the anarchy and the consequent misery of the ryots under the former Government. Volumes might be written in illustration of these subjects; but I refrain from enlarging upon them, lest I should be led into prolixity, and render this memorandum perhaps more discursive and rambling than its interest is worth.

4. Owing to this disorder and uncertainty of the tenure of the farms held by the sirsoobas themselves, they neglected no opportunity of filling their coffers by taxing the ryots to the utmost extent of their means. In short, to be rich was almost tantamount to be guilty under the former régime.

5. With the introduction of the British Government, came certainty of tenure, protection of rights, and security of person and property. Since that happy epoch, the condition of the agriculturists has been gradually ameliorated, and in no few instances rendered opulent. To narrate *in extenso*, the measures by which this state of things has been brought about, and to follow the progress of advancement in all its stages, would swell this document to a tedious length, and, indeed, time does not admit of my entering into a detailed discussion of the subject. I shall, therefore, confine myself to a few general observations, which may suffice for the deduction of practical conclusions.

6. By virtue of my hereditary office of Dessayee, I personally conducted the affairs of the village of “Nowher” near Dharwar, yielding a large revenue to Government. Towards the downfall of the Peishwa, not more than one-fourth of the arable land, belonging to this village, was under the plough, the remaining three-fourths having lain waste for a long series of years.

7. Shortly after the accession of the British Government, that is to say, in the year 1822-23, Mr. Thackery, the Principal Collector of Dharwar, which in those days included

the present Zillah of Belgaum, turned his attention to the improvement of the country committed to his charge; he went round the whole district, equalised and reduced the rates of revenue, constructed tanks and wells where a supply of water was wanting for agricultural and other purposes, repairing those which existed, but had long fallen into a state of disrepair and dilapidation; and granting "tuccavee" (advances) to the ryots on a liberal scale, in proportion to their ascertained means and resources, to be repaid without interest by annual instalments. The improvement of the village of Nowloor was entrusted to me. The tank which had long been out of order was repaired, and the whole of the land under it was brought under the plough by the resident ryots, and the agriculturists of the neighbouring villages; and the land which had formerly presented to view an arid uncultivated prospect, was now changed into a most beautiful sheet of verdure, as far as the eye could range; in fact it was a garden. The dry-cropped land having been offered at a uniform rate of four rupees per "mar" (equal to about 25 acres,) on long leases, septennial and decennial, the ryots took it up with avidity; they raised jowaree or bulgur sorghum, wheat, gram, linseed, cotton, tobacco, and other remunerative crops; and in the course of time, they attained a comparative state of opulence. These measures of improvement were introduced with similar beneficial results throughout the districts of Dharwar and Belgaum.

8. The consummation of this amelioration was effected by that able and considerate officer, Captain Wingate, who introduced the Revenue Survey, and an assessment founded on a classification of the soils according to their capabilities. The low rates of this assessment enabled the ryots to extend their agricultural operations, and by the large out-turns, which they were enabled to reserve to themselves after paying the rental due to Government, they have gradually enriched themselves; they invested their surplus profits in the enlargement of their herds of cattle, which materially added to their prosperity by enabling to sell milk, butter, ghee, and curds; they have raised exportable crops to a large extent and enlarged their capital. When disengaged from their avocation of husbandry, they resort to the desert, for the purpose of felling timber, in which they deal largely and with great advantage; they likewise obtain considerable incomes from their carts which they let on hire. The agriculturists of the present day are not what they were half a century ago, poverty-stricken, oppressed, and wretched; they are wealthy and happy, have large quantities of precious metals in the shape of ornaments about the persons of their females; they are dressed in costly clothes,—in short, nothing could be more desirable than their condition, and peace and plenty pervade them.

9. Under the former Government there were no fixed instalments for the collection of revenue; where they did exist they were ill adapted to local circumstances, for commencing, as they did early, often before the harvest could be gathered and sold, they obliged the ryots to resort to the usurious money-lenders, for the purpose of raising loans wherewithal to satisfy the Government demand, by hypothecating the produce of their crops, and often selling it to arrive at maturity, at rates far below what they would have got in the market. In fine, it is not too much to say that the ryots in those days were in a continued state of thralldom, and many were the mere serfs of the money lenders. But, now, the first instalment of the revenue collections falls due after nearly half the produce has been gathered and housed, so that the ryots are enabled to sell their harvest at the market prices, and meet the demands of Government from their own resources. This is no inconsiderable cause of the present prosperity of the agricultural classes.

10. The certainty of tenure guaranteed by the Revenue Survey has established a feeling of confidence in the minds of the ryots; while the discontinuance of impressment for unremunerated labour, the abolition of "Mohturfa" or tax on houses, and of a variety of town and transit duties, and the restraints upon the arbitrary use of power and influence by the zemindar, evils which, in former days, told severely upon their means, have enabled them to convert their old low huts into large decent-looking commodious houses. Added to this, the introduction of the Municipal Act has greatly improved the appearance of the villages and towns, and generally the whole face of the country has altogether changed.

11. Thus has the British Government brought almost every available acre of land under the plough by great and continued exertions, and at a vast outlay or sacrifice of money, not less for the permanent furtherance of its own interests than for the promotion of the prosperity of the people. Government has now passed a Resolution for selling the land (both cultivated and waste), which, in fact, forms its main resource; but, as the measure has been resolved upon, after great deliberation, and doubtless at the advice of highly talented and experienced officers, I feel considerable diffidence in offering an opinion in opposition to theirs. But, to my humble judgment, the measure is as highly impolitic as it will hereafter be found to be injurious to the people themselves. In India, unlike other countries, the proprietary right in the soil has from time out of mind been vested in the Sovereign; it forms the principal, and, it may safely be said, only resource at once of both the Government and the people. To enable them to purchase the land by the redemption of the land tax by the payment of 20 years' rental, the ryots will generally be obliged to borrow money at high rates of interest, so that their proprietary right will be only nominal; they will be mere serfs, as in days of yore, and the real masters will be the money-lenders, from whose grasp it will be long, if ever, before they can extricate themselves. By selling its proprietary right in the soil, Government will also forego the prospective increase of revenue to which it may safely look forward by the introduction of higher rates of assessment, after the lapse of the 30 years guaranteed by the Revenue Survey Settlement. If the present

state of matters is left intact, undisturbed, the ryots, at the close of the 30 years' leases, will be in a position to bear higher rates of land tax; and if a permanency will there be guaranteed to them, similar to the existing Revenue Survey Settlement, they will be all the happier.

12. The introduction of the Revenue Survey has likewise benefited the Dessayees, Deshpandays, Nadgowdas, Patells, Koolkurnees, and other hereditary officers holding Jodee Inam villages and lands, inasmuch as the Jodee or quit-rent due on their holdings has also been reduced in common with the Government lands.

13. During the disturbances which broke out in 1857-58, Brigadier General LeGrand Jacob, then Political Commissioner in the Southern Mahratta Country and Kolapore, called for my written opinion as to the causes which might have led to the rebellion when all the people were happy under the administration of the British Government, and I submitted a memorandum, showing in detail, to the best of my humble ability and information, the respects in which the princes, chiefs, jahgeerdars, inamdars, cultivators and others of the Deccan and the Southern Mahratta country, were happy, as well as those in which they had anything to complain of. In that paper I showed that the ryots, cultivating Government lands, were happy; that they had no share in the revolt, and that they were loyal and wished the British Government prosperity. I still see no reason to alter the opinion which I then expressed, and I am perfectly convinced that no body of the subjects of Her Majesty is happier than are the agriculturists.

14. As I have had but little time to consider the important subject embraced by this memorandum, I crave indulgence for any shortcomings it may betray.

(signed) Ramrao Bheemajee.

Bombay, 11 March 1862.

(No. 36.)

From Sir *George Couper*, Bart., c. b., Secretary to the Government of the North Western Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 578A), dated Nynee Tal, 27 May 1862.

WITH reference to your predecessor's letter, No. 2033, dated the 7th October 1861, I am directed to forward to you, for the consideration of his Excellency the Viceroy and Governor General in Council, the accompanying copies of Minutes recorded 'by his Honor the Lieutenant Governor and the Senior and Junior Members of the Sudder Board of Revenue in these Provinces, on the expediency of forming a permanent settlement of the North Western Provinces.

(No. 37.)

MINUTE by *W. Muir*, Esq., Senior Member of the Sudder Board of Revenue, on the expediency of forming a permanent settlement of the North Western Provinces; dated 5 December 1861.

In discussing this question, it seems expedient at the outset to clear away a misapprehension which I have found frequently to exist. It has been urged that a perpetual settlement is needed in order to give a permanent proprietary tenure. This, however, is not the case. Perpetuity of proprietary tenure is not only quite compatible with an assessment liable to revision, but it actually does exist in as full and perfect a form throughout these provinces as it would have done had the settlement from the first been permanent. The title by which proprietors hold land in Benares or Jounpore, under a permanent assessment, is in no wise better, *as regards perpetual fixity*, than it is in Azimghur or any other temporarily settled district. In respect of the limitation of the Government demand, the right may be more valuable in the former than in the latter; but in respect of permanency of title there is absolutely no difference in value whatever.

Fixity and perpetuity of tenure not involved in the discussion.

2. The grand distinction between the state of *property* as such, in these provinces and in Bengal, is, that in the latter, the persons with whom Government entered into engagements at the permanent settlement, were recognised as absolutely and exclusively the proprietors, although they were very often in reality only sharers or part proprietors in their estates.* In these provinces, the errors in the recognition of proprietorship, that were committed in the

* "In Bengal, Behar, and Orissa, the permanent settlement effected a great revolution in the state of landed property. It very extensively deprived the village communities and inferior holders of their rights, and created new and absolute rights of property in behalf of persons who had previously possessed only a limited interest on the produce of the land."—*Directions to Collectors*, paragraph 91.

the early settlements,* have been held liable to amendment; and subsequent detailed investigations, under judicial powers conferred for the purpose, have ascertained and fixed the proprietary right in those individuals who, by the prescriptive exercise of proprietary functions, were entitled to be so recorded.

3. The errors committed in Bengal were, however, by no means errors necessarily inherent in a perpetual settlement of the land revenue. The revenue demand might have been declared perpetual, without making the Government to guarantee proprietary titles according to a faulty and deficient registration. The two operations in a settlement, viz., assessment of the demand and record of proprietary and other rights, are ordinarily performed together, but they are essentially independent of one another.† The perpetuity of the demand was not, therefore, in itself a reason why the errors of proprietary registration in Bengal should not have been amended by subsequent measures, nor is it any defect in the proprietary titles in these provinces, that they have been ascertained and recorded prior to a permanent settlement.

4. It is clear, then, that, in these provinces, as the rights of property have been carefully ascertained and recorded, the title thus secured is quite as fixed and permanent as any title in Bengal, with the additional advantage of being the rightful title, that is to say, a title in close accordance with prescriptive possession.

5. Whatever benefits, therefore, a permanent settlement may bring with it, security and perpetuity of title must be left out of the account; and it does not appear in what respect "the tenure [of land]" in these provinces could be improved by any fresh "legislative sanction," as appears to be contemplated by the Government of India,‡ in the case of such districts as may be continued under temporary settlement.

6. I proceed, then, to consider the question of a permanent settlement on its own merits.

7. As the advantages of such a settlement have been very forcibly stated by the late Colonel Baird Smith, C.B., so the disadvantages have been ably argued by Mr Keene, in a pamphlet§ which I have just received from him, and which I place with this Minute.

8. *Disadvantages of a Permanent Settlement.*—They may be reduced to the following:—

1st. The Government shuts itself out for ever from its legitimate share in the profits arising from the extended cultivation and increased productiveness of the soil.

2d. It divests itself of the ability of re-adjusting its revenue according to the altered value which, in the progress of time, different localities often assume towards one another, or to the altered prices, which, in the lapse of ages, may affect the produce of the whole country.

9. There is no question but that the stimulus to agriculture imparted by the protection of our Government, and the security of long settlements would, even under the present system of periodical assessments, cause in the next 30 years (as they have caused in the past) a vast extension and improvement of agriculture. We have the example of Goruckpore in point. The incentive to exertion produced by a fixed assessment for 30 years has been so strong as to secure a prodigious reclamation of waste land, so large indeed, that, even at the lowered standard of present assessment, in that single district an increase of some eight lakhs of rupees, or about 40 per cent., on the former demand is expected under the settlement now in progress. The Government, as part landlord, is entitled to its share in this increase. Property in the temporarily settled districts exists (it is argued) with this as an essential condition of its existence. To confer the exclusive advantages to be derived from its share in the increased assets on any set of proprietors, is simply to enhance the value of their property by alienating a profitable right of Government, without any equivalent, and at the expense of the other portions of the community, on whom will fall the burden of making good the prospective loss thus created.

10. The same argument applies with still greater force, as has been shown by Colonel Baird Smith, to those tracts of country where the increase of the cultivated area, and of the value of the produce, is the effect of Government works of irrigation. Here the increase is the result of expenditure of capital, not by the proprietor, but by the Government, or in other words, by the community at large; and the Government title to share in the increased profits is thus doubly stronger than in the case before supposed.

11. Further

* "The early settlement in these provinces were made very much as those in Bengal, without minute inquiry into the extent or capabilities of the several estates, or into the nature of the rights possessed by the persons with whom the settlements were made. Since then, under the provisions of Regulation VII. of 1822, and IX. of 1833, a minute inquiry has been made into every circumstance connected with landed property, and a complete record has been compiled of every fact, so far as it could be ascertained."—*Directions to Collectors*, paragraph 152.

† "There are evidently two distinct operations in the formations of a settlement. The one is fiscal, the determination of the Government demand; the other is judicial, the formation of the record of rights. Ordinarily the two operations are performed at the same time, and there are many reasons which render such an arrangement very desirable. But if from any cause the judicial part was omitted when the fiscal was performed, there is no reason why the former should not be subsequently carried into execution without disturbing what had been previously done towards the latter."—*Directions to Settlement Officers*, paragraph 2.

‡ Paragraph 3, Government Order, No. 2033, dated 7th October.

§ The Indian cotton question stated, with especial reference to the tracts situated between the rivers Ganges and Jumna, by a district officer.

Increase of revenue from future extension of agriculture relinquished.

Especially in case of Government irrigation works.

11. Further, in the lapse of time, vicissitudes take place. One portion of the country under the influence of new lines and facilities of traffic, becomes prosperous; another, by the desertion of old routes and modes of communication, sinks in the national scale. The latter cannot now bear the revenue demand which it formerly discharged with ease; the former has a surplus of profit greatly disproportionate to the standard at which its settlement was framed. The adaptive character of our present system enables us here to balance periodically the burdens of the State. Those who have prospered through the force of circumstances are assessed (according to the known and essential conditions of their tenure) at a moderate proportion of their increased profits, and from the same source the Government is enabled to remit a suitable proportion of the heavy assessments which may be bearing down the less fortunate tracts. Where the assessment is perpetually fixed, it will be impossible to afford the relief which such vicissitudes render imperative without a clear loss to the Government. Instead of periodical equalization of uneven assessment, there will be the hazard of remissions being required with no fund of equivalent increase from which to meet them.

Power given up of re-adjusting the revenue to fluctuations of agricultural condition.

12. This is a point Mr. Keen has laid much stress upon as an argument for *postponing* the permanent settlement in these parts, for he says that we are in a state of transition, and that when new lines of traffic, new emporia of trade, and new systems of irrigation have declared themselves, "we may then admit that the time has come for a permanent settlement." But it appears to me that this argument, if pressed to its legitimate limit, would defer to so indefinite a future the whole question, as to be virtually a negative of a permanent settlement altogether.

Preface, page ii.

13. So also with the question of prices. It would be impossible at any future period to say that prices had reached a limit beyond which they will not rise. In certain quarters, indeed, such as Jubbulpore, which are at present far removed from any general market, it may be a question whether the demand should be made perpetual until the effect of the opening of the new communications now under construction, has fully told upon the prices of its agricultural produce. But in respect of the greater portion of these provinces, it may be doubted whether the tendency will not be rather in the opposite direction; for districts at present remote, will, by the extension of railways, be brought into nearer competition with its markets, and the effect will be to lower prices. So far, then, as this argument likewise is concerned, its legitimate conclusion is not so much to postpone a permanent settlement as practically to reject it.

14. The only remaining point for consideration is one which may be thought too remote and theoretical for any practical weight. But the Government, before it irrevocably commits itself, is bound to keep in its view all the contingencies and possible future effects, however remote, of a step which will affect so large a portion of its existing revenues. It is quite possible, then, that silver may in a future age greatly fall in value.* The prices of all other commodities would correspondingly rise, and the expenses of Government, both in its general expenditure and in the salaries of all its employes, would be increased in a similar proportion. Meanwhile, the income derived from the land revenue would remain stationary, or rather, it would suffer an actual deterioration measured by the fall in the value of the metal in which it is paid. Supposing the fall of value to be one-fourth, then, for every 100 rupees of revenue as originally fixed, Government would receive the value of only 75 rupees. The effect would be the same as if the proportion of profit assigned to proprietors were increased 25 per cent., or if the proportion of produce representing the share of Government were decreased by that amount. So far as the discharge of liabilities arising from the existing Government debt is concerned, there would be no inconvenience, as these, being contracted in the same currency, would suffer an equal depreciation. But in other respects any great revolution of the kind contemplated might prove embarrassing to the Government of the day.

Possible fall in the value of silver.

15. Under the principle of temporary settlements, it would be always in the power of Government to re-adjust its demand, either by the addition of a per-centage corresponding to the altered value of the currency or otherwise. How far the advantage of being able to exercise this power would warrant any practical action, will be further considered below.

16. *Advantages of a Permanent Settlement*—I pass on now from the objections against a permanent settlement to the advantages which it offers.

17. First, as respects the directly financial results, there would be the saving of the very material expense incurred by the Government in the periodical revision of its demand. To enforce any satisfactory equalisation of the assessment, a detailed field measurement from time to time becomes necessary; and this process is especially required in all those tracts in

Expense of periodical re-settlement saved.

* "Nobody can say that some day silver may not also undergo a great fall, brought about by a production which should be distinguished by the two following characteristics of being much greater in comparison with the employments to which it had hitherto been applied, and of being produced under more favourable circumstances; that is, at less cost per kilogramme for the metal obtained. There are strong reasons for thinking that, if the United States annexed Mexico, and penetrated further into the regions of Central America, this event would not be of tardy accomplishment, under the auspices of a race so industrious and so enterprising as the Anglo-Saxons. . . . Nevertheless, fall of silver is an event to be anticipated, an event even probable at no very distant date."—*Chevalier on the Fall of Gold*, p. 123.

in which it is contemplated to assert the right of Government to an enhanced revenue based on the extension of agriculture. This operation, and the measures attendant on it, cannot be carried on without considerable expenditure of the public money. In the present year it is estimated that between four and five lakhs of rupees will be spent by Government on this object, and an equal, if not greater amount, will probably be required for many years to come, before the 30 years' settlement now expiring shall have been revised.

18. A permanent settlement once introduced would free the Government for ever from this expenditure; and the saving may be taken, so far as it goes, as a set-off against the potential increase of revenue under the present system, which will be abandoned.

Zemindars and ryots saved from the exactions incident to a re-settlement.

19. In a similar manner, the people themselves will be saved from the expenses, exaction, and oppression to which at every re-settlement they are liable. I cannot regard this a light advantage. Let our settlement officers be never so active and vigilant, the subordinate agency at their disposal is, like all other native agency, generally speaking, venal and corrupt. They have opportunities of misrepresentation to injure the zemindars and ryots, and to favour one party or class at the expense of another; and they are not slow to turn their opportunities to account. Their time is short and they make the most of it. This species of tyranny is, I believe, in no case, wholly absent; and in most settlements falls heavily on the people. It would be totally swept away by permanent assessment, to the great relief of all classes.

Disadvantage from want of periodical survey and record of rights.

20. It may be urged, on the other hand, that the present advantage of a periodical detailed survey, and the ascertainment and record of all landed rights as they stand, will be lost, to the inconvenience of the people and the detriment of the public administration. The outlines of possession are liable to alter greatly in the course of 30 years: the limits of cultivation vary, and changes occur in the distribution of property and of the rights of occupancy. Without a new field measurement no full and complete registration of these can be compiled; the rapid variations arising in the lapse of time soon leave the old record behind; it no longer corresponds with existing facts, and, becoming obsolete, loses its value. That some benefits of convenience and usefulness may be thus given up is possible; but the loss, whatever it may be, can in some degree be repaired by requiring of the Putwarees that their annual record shall keep pace with the changes of the year. And if care be taken at the final settlement (which I presume will precede any measure of perpetuity) to make the survey and record of occupancy and rights very complete, I do not see why these documents should not be kept up in a manner sufficiently perfect for all practical purposes. But, giving the objection its utmost weight, it will go but a short way to counterbalance even the minor advantages of a permanent settlement referred to in a previous paragraph.

Permanent settlement will remove the check to agricultural improvement occurring towards the close of a settlement.

21. Looking now to the benefits which may be anticipated in the improvement of property, I notice first the periodical check which the prosperity of the country receives under the present system, whenever a settlement approaches near its termination. As the assessment of the coming settlement is to be fixed in reference to the extent of cultivated area and value of the produce, it is the natural object of every proprietor to make these appear as small as possible. Hence, not only is the expenditure of capital on new improvements stayed, but the state of existing prosperity is actually depreciated. The proprietor refrains from cultivating the usual breadth of crop; he narrows the area of land under irrigation; he postpones the sowing of valuable staples. It is quite natural that he should do so. The present sacrifice will be amply made up, if even a small diminution of the Government demand is thereby obtained. Penalties are threatened for such procedure. But so long as human nature is what it is, penalties will be fruitless, and every fresh settlement upon existing assets will tend to this result.

Permanency of settlement will encourage investment of capital.

22. Leaving out of view the few last years of a temporary settlement, it must be admitted that the effect of a determination of the assessment for 20 or 30 years has been found eminently beneficial in insuring improvement. Colonel Baird Smith's Report bears ample testimony that it is so; almost every district in these provinces is an unequivocal witness to the same truth. The security of a long settlement stimulates industry and encourages the expenditure of capital, for the profits of the period are certain to replace the capital, and to yield a handsome return besides. But it is also certain that the inducements to investing capital in the improvement of the land would in most cases be very greatly strengthened, by fixing the demand in perpetuity. When any large disbursement is now contemplated, it is perfectly natural for the proprietor to hesitate. He will reflect whether it is, after all, worth his while to sink 1,000 rupees, say, in a well, which shall add 200 rupees to his rental, seeing that, in consequence of this increased profit, he may be sure that at the next settlement 100 rupees will be added to the assessment of his estate. Had the settlement been permanent, there would in such a case have been no doubt about the matter; where the settlement is temporary, the project is in all likelihood cast aside.

Investment of capital discouraged under the present system.

23. The inexpediency (if not, under some circumstances, injustice) of such a course has not escaped notice. The late Court of Directors ruled * that a liberal consideration was to be

* "Despatch dated 13th August 1851.—This laid down that "although settlements must be formed with reference to the value of the land at the time," still a liberal consideration was to be "given for the improvements attributable only to the efforts of the tenant himself, and especially with regard to such as are of a comparatively recent date, and with regard to which he has reaped the advantage only for a short period under the old settlement."

be given for all improvements effected at the expense of the occupant, especially recent improvements, "with regard to which he has reaped the advantage only for a short period." The 37th Rule for re-settlement, issued in 1854, contains a still stronger injunction to make allowance for the expenditure of capital, and to assess a correspondingly moderate jumma.* But it is evident that the principle prescribed by the late Honourable Court is of too vague a character to effect any certain results; and even the rule issued by the Board must prove practically inoperative, so far as security to the landlord is concerned. It would be a matter not of exact calculation, but of mere speculation, what portion of increased productiveness was attributable to the investment of capital; and generally the assessment of an estate is affected by so many considerations, and depends so greatly on the opinion of the settlement officer, that the rule, as a ground of confidence in the future, could afford to proprietors no practical satisfaction, and is not calculated to diminish that uncertainty of reaping the full results of labour and capital, which is the bane of all temporary settlements.

24. Some parts of the country, as those regions in Bundelcund which are incapable of irrigation, may be less affected by this consideration than others; but even their advances must be expended for the settlement of new cultivators, the digging of wells for drinking water, the provision of seed, and other conditions necessary for founding fresh hamlets and extending cultivation. There is probably no part of these provinces in which the impulse imparted by a permanent settlement would not be felt, where investment of capital would not be materially quickened.

25. It is true that great allowance must be made for the habits of the people. Motives of this kind will have their full and legitimate influence upon European settlers; but the Natives of India are disposed "to leave well alone," and to keep to the old ruts which the usage of ages has sanctioned. Accordingly, we do not find such great difference in the progress of the four permanently settled districts in these provinces as we might have looked for, although the inducements to invest capital, from the limitation in perpetuity of the Government demand, have been for more than half a century in full force there. Nevertheless, even if we take into our account the prescriptive indifference and immobility of the national character when ordinary motives are concerned, it would still be against reason, and against the experience of other parts of the country, to hold that so vital a change as the fixing for ever of the present shifting assessment should not produce the most important results.

How far the inducements of a permanent settlement will tell on the native community.

26. For it is not doubted that the value of property would be vastly increased by such a measure. Nasir Ally Khan Bahadoor (who, being a resident of Jounpore, is a good authority on the subject) assures me that an estate would sell in a permanently settled district at from two to three times the value it would fetch, though in every other respect similar, if under temporary settlement.† Where the superior value of a permanently settled estate is so decidedly recognised by the people themselves, it is against all analogy to suppose that the disposition to invest capital in its improvement will not likewise exist in a corresponding degree. Therefore, I do not doubt that a great and accelerated improvement of property would result from a permanent settlement of the revenue.

Increased value of land caused by permanency of the assessment.

27. The political benefits, moreover, to be looked for from the measure are not small. A degree of contentment and satisfaction will be diffused over the land which it is not easy to estimate.

Political benefit of contentment.

28. Opinions, indeed, on this head have been sometimes expressed in extravagant terms. The comparative immunity of Bengal from revolt in 1857-58 has, by some, been attributed in part to this cause. Experience refutes the conjecture. In these provinces, the quarter in which the people continued longest and most persistently to oppose our Government, was that of Ghazee pore, a permanently settled district. The truth is, that the inducements to revolt were to a great extent local in their character; they were brought to bear in their full strength on hardly any part of Bengal; but where they were brought to bear, as in the case of Shahabad, the permanent settlement was as powerless to hold them in check as the temporary settlement.

29. But though by no means inclined to attribute any such magical effect to a settlement in perpetuity of the land revenue, I am well assured that the measure would be hailed with intense satisfaction by the landowners in these provinces. I was not aware till lately how strong is the popular feeling on the subject. Indeed, it is only of late that the attention of the landowners has (I suppose in consequence of its discussion, during the last two or three years,

* "In villages the cultivation of which has been much extended since the settlement by the breaking up of new land, or the per-centage of irrigation increased by the sinking of new wells or other improvements, the expenditure of capital must be allowed, and a moderate jumma assessed."—Rule 37.

† I give the following rates from him as those which are notoriously current:—

The calculation is based on the average net surplus profits remaining after the Government demand and all other expenses have been paid.

Under temporary settlement, a property yielding 12 annas per mensem of such profit (that is, nine rupees per annum) would fetch 100 rupees, or a little above 11 years' purchase. Where the permanent settlement prevails, the same price would be given for a property yielding four, five, or six annas per mensem; that is, 3, 3½, or 4½ rupees per annum, being at the rate of from 22 to 33 years' purchase. It is remarkable that the greater the proportion of surplus profit to the assessment, the higher the market rate per cent.

Ahmud Buksh, an intelligent landholder of Futteh pore, confirms this statement, and adds, from his experience as vakeel in the Sudder Court, that there is a corresponding superiority in the value attached even to a cultivating tenure in the permanently settled districts.

years, in the public prints) been recalled to it as a measure at all likely to be introduced. But (in the Lower Doab at least) they have quickly become accustomed to the idea, and are prepared to welcome the boon whenever it may be conceded.

Recapitulation of benefits.

30. To resume : the benefits to be expected from a permanent settlement are—

- 1st.—Saving of the expenditure now occasioned by the necessity of periodical assessment.
- 2d.—Deliverance of the people from the vexations prevalent at every resettlement.
- 3d.—Freedom from the tendency to depreciation of property towards the close of each temporary settlement.
- 4th.—Prosperity arising from increased incentive to improvement and expenditure of capital.
- 5th.—Greatly increased value of landed property.
- 6th.—Content and satisfaction among the people.

Saving of revenue establishments.

31. To these it has been suggested to add the saving to Government from the decrease of expenditure in the subordinate establishment required to collect the revenue. The revenue will certainly be realised with greater ease; yet I doubt if much direct saving of salaries can be anticipated from this cause. The tehseldar and his staff will have more time to devote to their judicial and other duties. Indirectly, also, savings in the higher branches of the service may be facilitated by the measure. For example, when the settlements preliminary to the act of perpetuity have all been completed, a single officer may probably suffice to conduct the duties of this Board.

Advantages of a permanent settlement weighed against the disadvantages.

32. Let us now revert to the objections brought against a permanent settlement, and see how they stand in comparison with the advantages:—

33. First: the net surplus of revenue to be looked for at each revision from the growing prosperity of the country, after adjusting all necessary fluctuations, is abandoned for ever. I do not estimate the prospective revenue which will be sacrificed from this cause at any very large figure. The opinion of our Board in the Administration Report for 1859–60, that the amount of land revenue is not likely to vary to any great degree from its present amount, is, I believe, correct.*

34. This estimate, however, was formed on the supposition that the Government would retain the power of periodical readjustment, and would be able to reimburse itself for reductions arising from calamity and deterioration, by levying an increase where it was justified by increase of assets. The calculation will of course be affected by the relinquishment of that power. Any variations which may become necessary under a perpetual assessment will be only on the side of reduction.

35. But neither do I calculate reductions from this cause at any very serious amount, if the precaution be taken (which I will endeavour to show below is necessary) of a careful revision of the existing settlement before it is declared to be perpetual.

36. The special cause of increased productiveness arising from Government works of irrigation I reserve for further consideration.

37. There remains the contingency of a future fall in the value of silver. This contingency might be met, as well as other objections above urged (according to some authorities), by a very long settlement, say for 50 or even 100 years, which would secure many of the benefits of perpetuity, and yet leave the Government free to assert its rights, should it deem it expedient, in a future generation; or a legislative enactment might reserve and except the contingency of the fall of silver from the guarantee of perpetuity. The merits of such expedients will be treated of in a future part of this paper. Supposing, however, that no such expedients are found to be feasible, I do not think that the remote risk contemplated from this cause can be allowed to weigh against the immediate benefits to be expected from a permanent assessment.

Relinquishment of prospective enhancement of the land revenue will be compensated in direct returns from increased prosperity.

† Pamphlet before quoted, page 27.

38. Although no increase of income from the land tax will for the future be possible, yet other branches of the revenue will not fail eventually to share largely in the benefits flowing from the accelerated progress and increased prosperity of the country. This is a sufficient reply to the objection that “those who call upon the Government of India to forego the power of raising, without oppression, an elastic description of revenue, are bound to indicate the sources whence it could be made good.”† It must be remembered that no present loss of revenue is incurred (that is, if a careful revision precede the measure); the loss is one which it is apprehended will happen some 30 or 40 years hence. But by that time we may fairly look for a far greater enhancement of the revenue from the indirect return caused by the vastly improved resources of the country, than could have been obtained from the taxation of a portion of the increased rental anticipated from the extension of agriculture.

39. Allowing

* After referring to several instances of extensive reduction on the one hand, and of large enhancement in Goruckpore on the other, we wrote : “ In the resettlements of Saharunpore and Boolundshuhur it is probable that the net result will be a small gain to the Government ; but in many of the districts which in a few years will become open to revision, it is likely that the application of the liberal rule of settlement at half the assets will, to some considerable extent, affect the revenue. Against this, however, may be placed the general tendency of the revenue to advance from the lapse of maafee tenures and the settlement of confiscated jagheers. Upon the whole, then, it is not expected that the land revenue of these provinces will materially vary from its present amount.”—*Revenue Administration Report for 1859–60, paragraph 20.*

† It is to be observed that the benefit to the revenue from lapse of rent-free tenures would not, of course, be affected by a permanent settlement.

39. Allowing, then, the widest scope and fullest consideration to all the objections which can be urged against departing from the established system of temporary settlements, the advantages of a settlement in perpetuity appear to me vastly to outweigh them all, and I most decidedly advocate the measure.

40. So much for the general question. I pass on to notice several special points which will require consideration, supposing that the Government decides in favour of a permanent settlement. These relate—

Details involved in carrying out the measure.

1st.—To the time when the measure should be introduced.

2d.—The manner of its introduction.

3d.—Whether there should be any and what, exceptions.

4th.—Whether any special arrangement is called for in the case of irrigation from Government canals.

41. The sooner a measure of such beneficial tendency is carried out the better, *with due adherence to the moderation and uniformity of the assessment to be thus irrevocably fixed*. Any hasty or premature determination which should stereotype existing inequalities would injure the interests of the people as well as of the Government. Almost fabulous tales of extreme variation in the pressure of the perpetual assessment of Bengal reach these provinces, and that not arising so much from subsequent improvement as from original inequality; a rental of several thousands of rupees is said sometimes to yield to Government but 10 or 20. On the other hand, there are not wanting instances of excessive severity, and of revenue sales as the consequence. We have in our own permanently assessed districts not infrequent examples both of undue pressure and of inordinate profit. To relieve the former, the Government is occasionally put to some loss. There have also been cases where, from the unequal distribution of an otherwise just demand on the component parts of a joint property, similar results have occurred.

I.—Time when it should be introduced.

42. Now, although we had advantages in the settlement under Regulation IX. of 1833 which Bengal had not, and the assessments were framed with an approach to uniformity, yet that object was often very imperfectly gained, and we have now opportunities far superior to what then existed for making an equitable assessment.

43. Further, the development of resources in various degrees, caused by the long limitation of demand during the currency of the settlement now expiring, has occasioned diversities of condition and pressure even in assessments originally tolerably uniform. These have been often due as much to natural advantages as to increased industry. It is no departure from the principles above advocated, to say that such improvements, having occurred under a settlement avowedly temporary, should be taken into account in fixing the perpetual assessment.

44. The permanent settlement will give far greater satisfaction to the people generally if it is preceded by a careful revision, and all are allowed a fair start together in the race of future improvement. Such is the opinion of all the native gentlemen whom I have consulted. They deprecate any hasty process by which present inequalities should be stereotyped as unjust and inexpedient.

II.—Permanent settlement should be preceded by a careful revision.

45. Any premature measure of this kind would further involve the Government in considerable loss. There are quarters where it is well known that the Government revenue presses too heavily, and we are only waiting for their turn of resettlement to grant in them the necessary relief. In the course of resettlement this will be done probably without any loss, upon the whole result, to the Government; otherwise an unnecessary defalcation is sure to arise.

46. The perpetual settlement, then, should be introduced into each district so soon as a careful revision can be effected. The work of resettlement is already going rapidly forward: in one district it may be said to have been completed; in three others it is in progress. The other settlements can be taken up in the order of their falling in.* The latest term extends to 1874, and the interval will not be too long for a careful revision. But there would be no objection to commence work in anticipation of the expiration of any existing settlement, provided a sufficient number of qualified officers are available.

47. It appears to me that every previous effort should be redoubled for securing a strictly equal and impartial assessment, seeing that any inequalities which may now be admitted will soon be beyond our reach to remedy. Especially the *European* staff for settlement purposes should be advanced to its utmost possible strength, so that as little temptation may be left as practicable to native officials for corruption. The inducements offered to secure favour in a settlement known as about to be a perpetual one will be immense, and it is not in the generality of native officials to resist such inducements.

48. Extraordinary arrangements, if calculated to secure this object, ought not therefore to be rejected simply because they are irregular or expensive. An officer, for example, whose standing entitles him to the

* DISTRICT.	Date on which Settlement under Regulation IX. of 1833 expires.
Saharunpore	July 1857 (new settlement nearly completed)
Booldundshuhur	" 1859
Goruckpore	" 1859
Mozuffernuggur	" 1861
Meerut	" 1865
Furruckabad	" 1865
Budaon	" 1866
Bijnore	" 1866
Azimghur	" 1867
Bareilly	" 1867
Shahjehanpore	" 1868
Allyghur	" 1868
Allahabad	" 1869
Mynpoory	" 1870
Cawnpore	" 1870
Futtehpore	" 1870
Etawah	" 1871
Muttra	" 1871
Moradabad	" 1872
Agia	" 1872
Humeerpore	" 1872
Banda	" 1874

position of a judge, and whom it might be otherwise desirable to employ in the settlement of a district, should be so employed, notwithstanding the extra expense necessary to provide him with suitable emoluments. Any amount of expense will prove a real saving, in proportion to the accuracy thereby obtained in the perpetual assessment.

49. Although there is no district in these provinces to which the permanent settlement should, in my opinion, be applied without revision, yet there is, at least, one in which the revision of survey and record has been so successfully carried on by means of the Putwarees and others, that the materials are, I believe, almost at hand for the revision of settlement. I allude to the district of Meerut, where probably the necessity for a new survey will not be found to exist.

50. Another advantage in the course proposed is, that in this final resettlement, a careful field survey and revised record of occupancy and rights will be prepared, in accordance with the existing *status* of property and possession. The extensive destruction of former records in 1857-58, renders this in many quarters a step that is almost indispensable; and these records, now revised and placed, once for all, on a satisfactory basis, will form the foundation of the record of changes to be kept up by the Putwaree in accordance with the facts of the day.

III.—Whether the measure should be postponed in any parts of the country.

51. I now come to consider whether there are any parts of the country so exceptionally situated, as to render it questionable whether they are yet ripe for a permanent settlement.

52. It has been doubted, by several intelligent native gentlemen to whom I have spoken, whether the tracts on the right bank of the Jumna, and below its junction with the Scinde, are of a character which will be much benefited by a permanent settlement. The soil in general is of a character upon which irrigation cannot be brought to bear; there is no opening to proprietors to expend capital on the construction of wells for that purpose. The region is also dependent on the periodical rains, and these again are so liable to fail, that it is difficult for any length of time to maintain an uniform assessment. Where estates break down, the elastic nature of the present system enables you to diminish the revenue, and, when it has regained a prosperous condition again, to assert the legitimate demand of the State. The same may be said of the singular deterioration caused by the *kans* root, which, once allowed place, runs its course for years, paralysing the efforts of the cultivator. If the assessment be made permanent, it is alleged, every vicissitude of this kind will lower the demand, and the Government revenue will dwindle down to a serious extent.

53. First, as regards the last-mentioned danger, it can to a great measure be averted, by allowing remission of revenue for a term of years in estates visited by calamities of season or otherwise. The jumma of the permanent settlement would be borne on the rent-roll, to be again reimposed when the effect of the visitation had passed away. If the original assessment be fair and equally distributed, no serious loss to Government need be apprehended under such a system.

54. Next, as regards the expenditure of capital. It is true that the same field does not at present exist in these quarters for the construction of expensive works as in the Cis-Jumna districts. But still there are not wanting important objects on which capital can be expended;—from the expenditure of which capital, it may be presumed, the temporary nature of the present settlement tends to hold the proprietors back. The estates in Bundelcund have very extensive areas, and but few villages located in them. Tillage is ordinarily confined to the vicinity of a village; and in order to found new hamlets, and thus increase cultivation, wells have to be sunk, for no drinking water is, during the greater part of the year, otherwise to be procured. This, of course, involves a heavy outlay, over and above the ordinary expenses of settling new cultivators, and advancing them money for seed, bullocks, &c., and funds for their own subsistence. I have no doubt that necessities of a corresponding character will be found to exist in almost every quarter, and that substantial advantage will accrue from the knowledge that the fruits of increased industry and disbursement will be reaped exclusively, and for ever, by the proprietor.

55. The same remarks apply to the southern pergunnahs of this district (Allahabad), in which the proprietors are, according to Nasir Ally Khan, so ignorant and indifferent that they will not appreciate, even if they could comprehend, the value of the concession. But this may be doubted. There is no surer means than self-interest to call forth the energies of even such rudimental classes, and to elevate them from their present low and backward condition.

56. It may further be remarked, that the chief cotton-producing tracts lie on the right bank of the Jumna, and I should be loth to see them excluded from the benefits of the measure even if the objections were stronger than I rate them.

57. The only localities in these provinces which may reasonably be excepted, are those in which the progress of reclamation is so backward that only a small portion of large areas has been brought under tillage. For example, some parts of the new Terai zillah, and of the other districts which border on the Hills, are not in a sufficient state of forwardness to warrant a final declaration of a perpetual demand. This principle is admitted in Regulation IX. of 1805*, which held out to these provinces the prospect of a permanent settlement. The

measure

measure was to be limited to "such lands as shall be in a state of cultivation sufficiently advanced to render it proper to fix the assessment on the same in perpetuity." The permanent settlement would, however, in such case be only postponed. The circumstances of each tract should be decided upon separately on its own merits.

58. I am doubtful, likewise, whether the Jubbulpore Division and Chundeyree and, perhaps, parts of Jhansie, may not also fall under the same category. In the first-named division the proprietary title has hitherto been declared vested exclusively in Government, and the occupants have been held to be only farmers. The proprietary right is now about to be recognised. Moreover, the revenue arrangements there have never been in a satisfactory state; there are large tracts of land lying waste, and the region is emphatically in a transition state. The opening of the Bombay Railway will at once raise prices to an enormous extent. And altogether it may be prudent to see the effect of the new settlement for some years before finally fixing it for ever. The point is one on which further discussion may throw new light, and I am unwilling at present to express a decided opinion on it.

59. The assessment of *maafee* estates, and those held under a partial exemption from the demand of revenue, will, of course, not be fixed, so long as the privileged title under which they are held does not lapse. There would be no advantage in settling a prospective assessment in perpetuity upon them; any general instruction to do so would probably raise the suspicion that some new measure of resumption was contemplated. The only exception would be where the privileged holder is also the recognised proprietor, and where he might of his own accord apply for the declaration of a permanent assessment. Here it might be done.

Case of *maafee* and other privileged proprietors.

60. Where the proprietary title of a *maafee* estate is vested in any other party than the *maafeedar* (who in such case is the mere representative of Government, and entitled to receive no more than it would have received), and a settlement is made with the proprietors fixing the revenue demandable by the *maafeedar*, such revenue should be treated in the same basis as Government revenue and settled in perpetuity. So likewise with subordinate properties held on an independent footing, even though the revenue demand is paid not direct to Government, but through the channel of the *zemindars*. In *talookdaree* estates, likewise, of which a sub-settlement may have been made with the "inferior proprietors," and that arrangement is now maintained, it would be competent to the Government to fix the assessment to be paid by the subordinate holders in perpetuity.

61. The last subject to be considered is that of irrigation from Government canals. The facts and the difficulties involved by them in relation to a perpetual assessment have been fully and impartially stated by Colonel Baird Smith, C. B.

IV.—Irrigation from canals.

62. The benefits derivable from canal irrigation vary according to the capacity and antecedents of the land affected. Where canal irrigation becomes a mere substitute in land previously irrigated by wells, the benefit may be rated at little or nothing; where lands already under dry crop are watered from the canal, the produce is vastly enhanced; where waste lands which could not otherwise have been brought profitably under cultivation are rendered fruitful, the gain is equal to the entire net rent of such lands.* The water-rate paid to the Canal Department is an uniform rate, and is necessarily very low, being calculated to meet the first of the above cases where the smallest degree of benefit is derived from the canal. In the two latter cases the water-rate is altogether inadequate.

Title of Government to share in the increased productiveness caused by them.

63. Now, it is evident that where large areas already under dry cultivation are by canal irrigation rendered doubly profitable, the State is entitled to share in the increased profits produced by its own capital: much more is it so in the case of lands which otherwise could

not

* This subject has been treated in detail in the Board's address to Government, dated the 14th of February last, from which I extract the following paragraphs:—

5. "It is necessary to inquire in what degree assets will be improved by the introduction of canal irrigation, and the loss to Government if no arrangement be made for the State sharing in the increased returns.

6. "There will be three classes of lands, each affected in a different degree.

Various degrees of benefit from canal irrigation.

7. "First, lands already irrigated from wells, *jheels*, or natural streams, but which may hereafter be made available for canal irrigation. Here the benefit would consist simply in the substitution of an easier and cheaper mode of procuring the water and conducting it to the fields, for a more expensive and difficult mode. The general belief of the people (shared in generally by district officers) is that fields irrigated from wells yield an appreciably heavier and better crop than those irrigated with canal water, and this apart from the liability of the ground, especially near the head of a *rajbaha*, to become covered with the silt which is borne down and deposited by the canal water. Supposing this were admitted, there is still the advantage to the cultivator of a less expensive process, which diminishes the cost of cultivation, and leaves, therefore, a larger surplus of net profit. The benefit would secure some clear balance of advantage in favour of the canal irrigation; yet the benefit would not be felt fully at the first, because, in such cases, the cultivator is already provided with cattle and all the gear, &c. necessary for his wells, and being, moreover, accustomed from long habit to irrigate from them, it would take some time for the new system to supplant the old one.

I.—In respect of lands already subject to irrigation.

8. "On the whole, the benefit in respect of this class of lands would not be so sensible or so immediate as to justify the introduction of canal water being made the ground of any increased demands during the currency of a settlement. The case would be fully met by the demand from the Canal Department of the ordinary water-rates whenever the canal water began to come into use.

9. "Second. Where cultivated lands not previously irrigated are brought within range of canal channels, the benefits would be large and important. Instead of being dependent on the precarious rain of heaven, the

II.—In reference to lands heretofore *unirrigated*, *khurreef*.

not be cultivated at all at a profit, but which may hereafter be rendered fertile by the construction of a canal-cut. The profits are in no sense, or in a very limited sense, the result of expenditure of capital by the proprietor. It is the capital of the community which has produced these results; and the community at large, that is the State, is entitled to its share in the profits. The levy of the present uniform water-rate is a very partial and inadequate assertion of this title.

64. The right of Government under the existing system is jealously guarded, not only for the interest of the Exchequer generally, but also because these profits are one cause by which the State is justified in extending its canal system, and a chief source from which it is enabled to do so. The right is easily asserted at each recurring settlement, because the State then comes in and assesses its revenue at the sum of half the rental of the estate, including that of the newly cultivated or improved lands. The benefits, then, reaped by Government from canals under the present system, consist, *first*, of this periodical improvement of the land revenue; *second*, of the general security they afford to the revenue against famines; and, *third*, of a light uniform water-rate, calculated to give a moderate return of interest on the capital invested in the undertaking.

65. Of these benefits the *second* and *third* will remain unaffected by the new system. Is the first to be altogether abandoned?

Political Economy,
i. VII., sec. 4.
Idem, ch. VIII.,
sec. 4.

66. "The idea of property," says Mr. Mill, "does not necessarily imply that there should be no rent, any more than that there should be no taxes. It merely implies that the rent should be a fixed charge, not liable to be raised against the possessor *by his own improvements*, or by the will of a landlord;"* and again the same thing is described as "possession in perpetuity at a money rent either fixed, or varying according to some rule which would leave to the tenant the whole benefit of his own exertions."†

Expedients for
enabling Govern-
ment to maintain,
under a permanent
settlement, its title
to share in the assets
created by canals.

67. If then, any plan could be devised by which the Government should secure the portion of the profits due exclusively to the expenditure of its own capital, without by any possibility infringing on the fruits of the proprietor's labour and capital, the essential requirements of property would be maintained without affecting the financial interests of the State.

68. Various expedients have been proposed for attaining this object.

—Long-term
settlements.

69. First (as before mentioned in reference to the possible fall of silver), it has been suggested that a very long settlement might be allowed, of 50 or even 1,000 years, at the close of which the increase of profits due to this source might be carefully calculated, and the just proportion of the Government dues assessed thereon. But whatever benefits a long lease of this nature would bring, it would not be a settlement in perpetuity. In India, as elsewhere, there is a charm in the word "for ever," which is entirely broken if the term falls short of absolute perpetuity. Again, in what respect would it be possible to define the exact proportion of the profits attributable to the canal as distinct from those created by the capital and industry of the occupant?‡ And even if it were possible, how should we convince the proprietors that such prospective demand would be confined to that share? Uncertainty and mistrust would take the place of those feelings of confidence and security which it is the grand object of a perpetual settlement to create and confirm.

I.—Reservation by
law of its title.

70. The same objections exist, even in a stronger form, to the proposal for a legal reservation

khurreef crops, as well as the rubbee harvest, would be rendered secure and certain. The rubbee crops would gain beyond all comparison in heaviness and value. Where only the inferior cereals are now produced, the higher kinds of crops would be cultivated. In many places sugarcane, rice, &c. would be introduced. The value of the assets from land so situated, after payment of all canal expenses, would, at the least, be doubled, and often greatly more than doubled.

I.—In reference to
new lands brought under
cultivation.

10. "Third. But canal water would not simply be available for lands already under cultivation. It may confidently be expected that large tracts of arable lands, which either cannot at present be cultivated at all without artificial irrigation, or which could not be cultivated at any profit, would be brought under the plough, and would yield rich and remunerative crops. Here the increase of produce, after payment of the moderate canal costs and the ordinary costs of cultivation, would be all clear gain.

second and third classes
irrigation open to increased
revenue demand.

11. "Taking now the case of villages containing lands of the second and third classes, it is evident that in both there would be a large addition to the profits of the zemindar. In the second class of lands, it would arise from the increased rent of fields already under cultivation; in the third, it would consist of the entire rent of the area newly brought under tillage. If such increase were in any measure attributable to the expenditure of labour and capital on the part of the agriculturists themselves, it would be reasonable that they should enjoy the enhancement of income arising therefrom. But it is not so: the advantage is gained purely by the construction of a public work at the cost of the State. It no more arises from the exertions of the proprietor than increased profits from the accession of alluvial lands. A village which profits by alluvial addition is held to be open to revision of jumma during the currency of settlement and to a corresponding increase in the Government demand; and there is no greater reason of immunity where the increase of assets arises from a cause just as much beyond the control of the owner. The benefit is equally clear, equally great, equally gratuitous."

‡ On this subject I quote from a previous paper:—"When a new settlement comes to be made, how is it possible to indicate what portion of increased productiveness is attributable to the canal, or what portion of extended cultivation has been and would not equally have arisen from other causes? In Saharunpore the cultivation has increased prodigiously since the settlement of 1837; the increase is general and not confined to canal villages. Why should the Government adjust this assessment to the capacity of villages which have improved in the one case, and not in the other? In a canal village, for example, how can it be proved that a tract of fields brought under canal irrigation would not to a great extent, if not equally, have been brought under well irrigation, as the country improved and capital increased, even had there been no canal in the district."—*Note by Secretary to the Government of the North Western Provinces, dated the 29th October 1858, paragraph 19.*

reservation to Government, in the act of perpetuity, of the right to assess its canal profits at any future period at which they may be fully developed. If any rule or procedure could have been settled, by which the power of Government to take the increased profits due strictly to the influence of its own capital and no more, could have been defined and limited in a satisfactory and absolute manner, then the idea of property as above explained might have been compatible with such a scheme. But I can conceive no such expedient, and even if such an expedient were possible, it would still be an impracticable task so to explain the reservation, that it should be fully and correctly understood by the people; for, if they failed fully to understand or implicitly to believe it, the effect would be equally injurious as if there had been no limitation at all. Where millions of ignorant persons are concerned, it is a matter of incalculable difficulty to communicate the exact bearing of any stipulation or reservation; and it would involve even greater risk and difficulty to persuade the landholders that some latent pretext under which the Government would hereafter be enabled to neutralise the pledge of perpetuity, did not lie concealed under such a reservation. Thus suspicion and mistrust would be engendered, and the benefits of a perpetual settlement neutralised. I do not see that any such reservation is practicable.

71. Again it has been proposed to except the tracts of country likely to be affected by canals from permanent settlement until the benefits of irrigation from them shall have reached, or nearly reached, their full development; the settlement would then be made at the enhanced scale of assets arising therefrom. Such is the condition of the country through which the Eastern Jumna Canal runs, and from the assessment of which the Government has derived its full share of the increased rental. But it will be many years before this state shall have been fully attained in the Ganges Canal; before the thousand subordinate channels of distribution shall have been completed and brought into use by the people. Meanwhile the greater part of the Doab, a tract the best calculated perhaps in these provinces to appreciate the blessings of a permanent assessment, would be debarred for an indefinite period from their enjoyment. Besides, canals may hereafter be introduced into parts of country under then already permanent settlement; so that the difficulty must be faced at some period, and another expedient than postponement must be provided.

III.—Deferment of perpetual settlement in tracts affected by canals.

72. There is yet another way in which the interests of Government might in a partial degree be secured, viz., by the application of a differential water-rate. While we were anxiously considering last year, whether the right of Government to share in the increased assets arising from new lines of irrigation, could not be asserted even during the currency of a settlement, a scheme of this kind was suggested as a possible solution of the difficulty.* Thus the charge for water applied to lands previously irrigated from wells

IV. Differential water-rates.

* "The first plan (the levying of a varying water-rate), indeed, would answer, were there any ready means of assessing a differential water-rate, calculated on fixed and uniform principles with reference to the advantages gained from the use of canal water. Those advantages (as shown in paragraph 6 *et seq.* of my former letter) are very various in degree. In some cases, where the means of well irrigation were previously available, the benefit may be very small; nay, in some cases, from deterioration of soil or other causes incident to the use of canal water, there may be a positive loss. On the other hand, unirrigated lands would benefit very largely, yet here also in greatly differing degrees, the increase of assets where the soil is suitable to sugarcane and rice crops being beyond all comparison greater than in the case of lands suitable only for the growth of common crops. And the same may be said of lands hitherto uncultivated, but made capable of tillage from the presence of canals, this class of lands yielding, of course, the greatest amount of new profits. If no differential scale of water-rates be applicable to these various classes of soil, very great inequality of assessment, not to say in some cases unfairness, if not positive injustice, would be the result.

5. "Yet the Board, as at present advised, do not see their way to any satisfactory system for a differential scale of water-rates, without inflicting as great a degree of uncertainty as would be occasioned by the plan they have proposed, possibly a greater degree. They freely admit that if any scheme for fixing a uniform scale of the above nature, proportioned however roughly to the benefits derived by the several classes of soils, could be devised, it would be the most satisfactory settlement of the question. The land revenue would then remain unalterable for the whole term of settlement; and the Government would have its fair share in the increased produce by means of the water-rate."—*Sudder Board to Government, No. 133, dated the 15th of February 1861.*

The project was favourably received by Government, which said: "There can be no question that the most satisfactory way of removing the difficulties which have led to this discussion will be to assess the canal water-rents at differential rates, varying with the degree of advantage derived by different lands, and even the same classes of land in different positions, from canal water.

20. "The Lieutenant Governor cannot think that the elaboration of such a scheme will present all the difficulties which the Board anticipate. It appears to him that, by the consentaneous and united action of the Collector and the Canal Officer, an assessment of differential water-rates might be carried out in such a way as to secure a fair equality of burthen on account of these rents, to bring to the credit of the Canal Department the amount of revenue which it is fairly entitled to claim, to leave the land revenue, consequently, 'a fixed and unvarying quantity,' and, while giving satisfaction to the people, to obtain for the Government its just share of the increased assets arising from works of irrigation constructed at its sole cost.

21. "For this purpose the joint action, in concert, of the Canal Officer and the Revenue Officer will be indispensable: neither the one nor the other could carry it out singly. The one will be the best if not the only competent judge of the extent to which water from the canal can be carried with advantage, of the varying quantity which will reach lands at various distances and in various localities, and of the expenses which will be incurred by each village or tract in bringing the water upon its lands; the other will be the best if not the only competent judge of the degree in which the lands of different villages will be benefited by the introduction of canal water. He will know how far the existence of well irrigation may affect the value of water to be brought from the canal; he will know the extent of cultivated land unirrigated which may be benefited by the canal; he will know, too, the area of uncultivated land which, now yielding nothing, may be made productive by the water derived from the canal; and lastly, he will be able, with little difficulty, to estimate the degree in which the value of lands of different classes may be affected by canal irrigation, according as they are capable or not of bearing sugarcane, rice, garden stuffs, and the more valuable kinds of crops generally."—*Government of the North Western Provinces, No. 561A, dated 1st June 1861.*

or otherwise would be at a minimum rate; that for former dry cultivation, now irrigated, at a higher rate; that for waste lands newly brought under cultivation by canal water at the highest rate. But it appears to me that on the introduction of a permanent settlement, such a system could not be resorted to without a special reservation sanctioning it in the act of perpetuity. It might be said that the process would be nothing more than simply affixing a price to the water, and that, in selling the water, the Irrigation Department has a right to affix any price they choose for their commodity. This would be true if the differential scale had reference to the increased cost of a cut, say to any particular locality, or, in short, to any other consideration but that of the varying increased productiveness of the land itself. For example, in Bengal, under the absolute perpetuity of the land revenue, I should think the principle would not be tenable. But whether it would be legal or not (without an express reservation, which would not be politic for reason above assigned), it appears to me that the process would closely resemble an assessment not on the water but on the increased productiveness of the soil,* and that the scheme consequently is not expedient and must be abandoned.

Under permanent settlement uniform water-rates may be raised without detriment.

73. The Canal Department must therefore, it appears to me, realise its revenue by *uniform* water-rates. But there is no reason why, under the operation of a permanent settlement, it should not demand a higher water-rate than it would have done had the system of temporary settlement been continued. Under this latter system, the Government looks for a return from its disbursements, not simply to the water-rate, but to the enhancement of revenue expected at the ensuing settlement. Such an enhancement is, in fact, a second canal charge in another form. The cultivator is assessed in the water-rate by the canal officer; the proprietor is assessed in a part of his increased rental by the Revenue Officer. It is evident that *so long as this system prevails*, there is great danger in an undue enhancement of the water-rates;† for it is plain that these might be increased to an extent which might prove, in fact, a second assessment upon a rental already fully assessed by the Revenue Officer. That danger (with an exception to be noted below) would no longer exist under a perpetual assessment. The increased assets arising from irrigation will, under a permanent settlement, be free for ever from assessment; and the Canal Department will be at liberty to raise its rates for water to as high a point as the people are willing to pay for it. The Government may thus be reimbursed to a certain, though comparatively limited extent, for the profit which it gives up in relaxing its hold on increased assets in the Revenue Department.

With one exception.

74. But there is an exception from this rule. The increase of water-rate would, as I have shown, be justified, because the Government abandons its former right of assessing increased profits. But the existing settlements have been already framed upon a calculation which includes those profits, and, so far as this has been done, the above considerations will not be applicable. For example, on the East Jumna Canal, the full effects of which have already been taken into account in the land revenue settlement, there would be no reason (so far as the loss caused by a permanent settlement is concerned) to raise the water-rate at any future period. But in settlements made while an irrigation work (as the Ganges Canal) is in progress, and the effects are only partially developed, the case is different. Suppose a village, at settlement without any canal irrigation, to come hereafter within its influence, and to have 500 beegahs under canal irrigation, whereby the produce is increased by an additional value of 2,000 rupees, and the rental 1,000 rupees. If the canal rates are raised all round by six annas per beegah (or an equivalent on the *pymana*), the canal revenue would consequently be increased by Rs. 187. 8. 0., representing the gain to Government from the increased produce. Suppose on the other hand, that the canal irrigation and increase of assets had in this village preceded the settlement, the increase of rental must have been then assessed at from probably 400 to 500 rupees; and it would consequently be only fair and equitable that if an enhancement of water-rate in consequence of the permanent settlement took place, an estate so situated should be exempt therefrom: otherwise, rental that had been already taxed by the Land Revenue Department would come a second time under the influence of what is intended to be purely a substitute for such taxation.

75. While, therefore, I would advocate the liberty to raise the water-rate, in order to make some compensation for the right of periodical assessment now proposed to be relinquished, allowance should, I think, be made for all estates already under canal irrigation at the settlement, to the extent to which such irrigation may have been taken into account by the settlement officer; and such exceptions from enhanced water-rate would require to be adjusted by the Canal Officers in concert with the Revenue Department.

Opinion against consolidation of water-rate with land revenue.

76. Colonel Baird Smith has proposed that the canal water-rate should, where irrigation has become sufficiently developed, be consolidated with the land revenue; I think that this could be done only in exceptional cases.‡ Where the water-rate, as I believe to be

ordinarily

* I need hardly remark that the above objection does not apply to the differential rate sometimes levied on the water used for various crops, because the distinction is here founded on the varying quantities of water they require, not on the varying productiveness of the land.

† This point was strongly urged in a Minute, now before Government, on "the right of Government in streams, and the principle of fixing rates on water from canals," dated 23d May 1860, paragraphs 19 to 22.

‡ The following extract from the Minute (dated 23d May 1860) before referred to are to the same purport:—

13. "In these provinces the universal adoption of the latter mode of assessment (village settlements) renders

ordinarily the case, is paid by the *cultivator*, the landlord could not equitably be required to make himself responsible for its payment in perpetuity on the same terms as the land revenue. So also where one portion of a joint estate held in divided shares benefits to the exclusion of another, or benefits more than another, by canal irrigation, it would hardly be equitable to bind the whole community by a joint assessment to pay the consolidated demand for water by which they profit unequally, some of them perhaps not at all. Farther, the consolidation could only take place where the system of water-courses had been fully completed; and till that had been accomplished, the permanent settlement would have to be held open to this future condition. Looking, moreover, to the possibility of occasional failure of supply, it appears to me (so far as the matter has yet been opened up by discussion) that it will be the preferable plan to keep the water demand altogether distinct from the revenue demand.

Note.—This part of Colonel Smith's Report is not included in the extracts which have been sent to our Board, and as we have not been furnished with a copy, I write from the recollection of a rather hurried perusal on a former occasion.

77. This would not interfere with any arrangement for fixing the canal demand in perpetuity, where that might be found otherwise advisable, nor would it present any obstacle to the amount assessed as water-rate being collected by the Revenue Establishment. I have long thought that this would be an improvement on the present system.* The details of water, its rates, and the names of the parties who had engaged for it, would be supplied by the Canal Department, and the amount would then be collected by the Tehseeldar. Where the system is by measurement of area under irrigation, this also would probably be best done by the Revenue Department.

78. It appears to me that all matters connected with the revenue of canals, its demand and collection, might with advantage be placed under the control of our Board without the organic change in its constitution proposed by Colonel Baird Smith, and yet in a manner such as to secure the advantages contemplated by him.

79. Although a new law will not be absolutely necessary, empowering the Government to make its land revenue assessments in perpetuity, yet in order to give confidence to the people, it may be advisable to procure the sanction of the Legislature to its perpetual limitation. It might be enacted that wherever the Government may declare the assessment of any district, subdivision, or estate, to be permanent, the revenue demandable from the same shall remain for ever limited to that amount, and that no further claim of the nature of land revenue shall be lawful.

Executive Government should be empowered by law to fix assessment in perpetuity.

80. It may be advisable, where so important and irrevocable a step is to be taken, to provide that no assessments shall be declared permanent without the express sanction of the Governor General in Council, in every separate case.

81. No further legislative provision will, I presume, be required, as all the laws relating to the collection of the land revenue will continue as at present, and no subordinate and relative rights or questions of rent, &c., are affected thereby. It is a mistake to suppose that a permanent assessment will be in any degree incongruous with the principles of settlement introduced by Robert Merttins Bird. It will rather form the final development and completion of them.

82. I would advocate that the road and educational cesses, equal to two per cent. on the Government jumma, be consolidated with the Government jumma and collected as such. In the Treasury accounts the proportion due to each fund would be separated, and assignment made accordingly.

Road and educational cesses.

83. I have been concerned to find from his Minute of the 23d June 1860, that the principle of the Educational Fund does not find favour with the Honourable the Lieutenant Governor. The terms laid down by the Seharunpore resettlement rules, which provide for the payment of this cess, are so far more favourable than those of any previous settlement, that

renders it quite necessary that the water-rate should be kept distinct from the land revenue. The revenue is fixed for a term of years for the whole area of a village within certain defined limits. In a co-parcenary estate there are various subdivisions of the proprietary body, and various interests, more or less distinct and separate one from the other. Some of these subdivisions may be benefited largely by the canal water, others in a less degree, and some not at all. The use of canal water varies according to season, and other incidental circumstances. To attempt a consolidation of the water-rate with the revenue would produce insurmountable embarrassment and confusion. The only practicable plan is to make each cultivator pay for the amount of water which he himself takes from the canal. If a body of landholders, or a village, or a cluster of villages combine to contract for a consolidated payment, they can, of course, distribute the amount among themselves; but the circumstance would be exceptional, and its continuance would be dependent upon a voluntary and uncertain combination.

15. "Where the settlement is made ryotwarry, or direct with each cultivator, there the consolidation of the water-rate and land rent may be possible. But even here, if the lease be (as it should be) for a long term of years, the consolidation will only be possible where the supply of water is perfectly certain and uniform from year to year. Any failure in the supply would lead to the necessity for a re-adjustment of the two elements (land revenue and water-rate) composing the demand, far more confusing and harassing, I should think, than if those elements had been kept separate from the first."

* See paragraph 12 of note by Secretary to Government, dated 29th October 1858, above quoted, and paragraph 24 of the Minute dated 23d May 1860, quoted in preceding note.

that the addition can nowhere be seriously felt.* It is not the place here to urge the benefits to be obtained from this cess; but I trust I may be excused if I say that it appears to me to afford the only prospect of securing a really national system of education, and that it will be a cause of deep regret if it be abandoned.

84. In conclusion, I would add that the consideration of the question of a permanent settlement has been discussed entirely on its own merits, and without reference to the privilege of redemption lately conceded by the Viceroy. As the commutation of land revenue by a present payment, wherever acted upon, is to all intents and purposes a permanent assessment, and as, moreover, it will prove a permanent assessment mainly of those portions of the revenue which are most unfavourable to Government, the argument for a perpetual settlement generally is greatly strengthened by the above measure, if, indeed, the necessity of such a settlement does not follow absolutely as a corollary therefrom.

85. The above remarks have been written hurriedly, as the Government requires an immediate expression of our opinion. And I have refrained from noticing several points of great and general interest discussed in the course of Colonel Baird Smith's Report, as they did not appear to me to be essentially connected with the question of a perpetual assessment.

(signed) W. Muir,
Senior Member of the Sudder Board of Revenue,
North Western Provinces.

(No. 38.)

MINUTE by R. Money, Esq., Junior Member of the Sudder Board of Revenue, North Western Provinces; dated the 21st December 1861.

In recording the following remarks on the question of fixing the land revenue of the North Western Provinces in perpetuity, I would premise that I assume the measure to have been determined on and to be inevitable. The policy of removing the bar to improvement which is now presented by the uncertainty of the Government demand, is obvious, and the arguments which have been adduced in favour of a permanent settlement appear to be unanswerable. The concession of a permanent settlement is, moreover, partially involved in the option which has been granted to redeem the land revenue in perpetuity.

2. Regarding the question, therefore, as one of time, I shall endeavour to show that arguments may be adduced against the immediate perpetuation of the existing settlement of these provinces, of force sufficient to indicate the necessity for delay.

3. Immediate action would involve too heavy a sacrifice in a permanent or prospective loss or relinquishment of land revenue; and *secondly*, it would fix in perpetuity a settlement which is not equable.

4. The loss of revenue would be incurred in estates which have benefited by the action of canals, subsequently to the last revision of assessment, or of which the assets may hereafter be increased by canal irrigation.

2d. In estates of which only very small portions of the area were under cultivation when the present settlement was effected, and of which the assets either have been or might be largely increased.

3d. In estates of which the present assessment is too heavy in comparison with the general average, and in which a reduction of the demand would be inevitable on a revision of the existing settlement.

5. With regard to estates which have been improved by canal irrigation, it may be sufficient to refer to the statement in the 74th paragraph of Colonel Baird Smith's report, which

* It is stated in paragraph 30 of the above Minute that the deductions, according to the Seharunpore rules, amount to $8\frac{1}{2}$ per cent., or more than double the income tax; but this calculation is considerably above the reality, because, under the standing rules, the road and educational cesses are deducted from the gross rental *before the apportionment* of the 50 per cent. on the Government jumma, and therefore virtually only one-half of the same is borne by the proprietor out of his 50 per cent. of the assets. Moreover, the salary of the putwarry, which forms 6 per cent. of the whole $8\frac{1}{2}$, is a *bonâ fide* village charge which has always (even under the old hard rules of assessment) fallen upon the zemindars, just as much as any other expense incurred for village servants to help in collecting the rents. It cannot, therefore, be justly compared with the income tax on net profits.

As above shown, the road and educational fund together fall on the zemindar at only 1 per cent. of his jumma, the same charge was formerly made for the road fund alone. Thus, if the net rental were 202 rupees, two rupees (being one rupee for each fund) are first deducted; and the jumma is fixed at half the remainder, *i.e.*, at 100 rupees, or with the two cesses at 102 rupees. Had the cesses not been taken, the jumma would have been 101 rupees, so that the zemindar has in reality but one additional rupee per cent. to pay. If the *principle* be objected to, it might be laid down that 51 per cent. of the rental is to be fixed as the Government revenue, which would provide for both funds; and allotment to them might be made after collection, as proposed in the 80th paragraph.

which shows that the assets of 17 villages in the Seharunpore District have risen during the last 20 years from 16,050 rupees to 36,970 rupees, or 130 per cent., and in which the Government demand has now been raised from 11,609 rupees to 16,258 rupees, or 40 per cent. The increase of rental in villages of the Meerut District, shown in the 66th paragraph of the same report, is nearly as remarkable.

6. The Goruckpore District stands out conspicuously, as that in which the greatest increase of rent has been obtained by the extension of cultivation since the settlement under Regulation IX. of 1833; but that settlement is now under revision, and a corresponding increase of revenue will be obtained. If, however, there is no district which will in this respect bear a comparison with Goruckpore, there are portions of districts and numerous detached villages scattered over the country which must be placed in the same category. I would instance generally those on the borders of the forest skirting the Himalayan range, and I believe that the seven pergunnahs which form the Tehseeldaree of Husnpore, on the Ganges, in the Moradabad District, and in which a remarkably small proportion of the culturable area was under cultivation at the last settlement, would exhibit an increase differing little in degree from that which has been effected in Goruckpore. To fix permanently the present assessment of the villages of these pergunnahs would be equally unfair to the Government and to the landholders of the remainder of the district. Even, if the Government should demand no increase on the aggregate demand of the entire district, the proprietors of those villages which had reached or nearly reached the limit of possible improvement when the present settlement was made, are fairly entitled to demand that the assessment should be equalised before it is fixed in perpetuity.

7. It may be safely affirmed that there is no district which does not contain several estates that are with reference to their capabilities more heavily assessed than the majority, and which would benefit by a reduction of demand on a revision of the settlement. The instances of under assessment are much more numerous. Justice to the landholders in the former case, and the interests of the State in the latter, point to the necessity of deferring the perpetuation of the settlement until the revision, which is now in progress in a few of the districts of these provinces, shall have been completed in all.

8. The question of realising the return to which the State is entitled on account of its expenditure on canals is much more complicated. The proposed measure must be deferred indefinitely if we await the time when the network of canal irrigation shall have been extended to the utmost practicable limit, and the resources which it will create shall have been fully developed. I should suggest the adoption of a scale of differential water-rates proportioned to the increased profits directly attributable to the canal irrigation. The amount payable by each estate may hereafter be fixed in perpetuity.

9. The inconvenience of collecting the water-rate separately from the several cultivators or under-tenants of an estate might be avoided by a provision that the parties responsible for the payment of the land revenue should hereafter, or so soon as it shall have been permanently fixed on account of any estate, be held liable for payment of the canal assessment, an allowance of 10 per cent. being made for the cost and trouble of collection. The declaration of the fixity of the land revenue demand might, in every instance, be made contingent on the acceptance of this condition.

10. With the proviso proposed in the last paragraph, I would recommend that the land revenue demand of each district should be declared permanent on the completion of the settlement now in progress or impending, but I would strongly deprecate any more premature action as injurious to the interests of the State, and unjust to the many proprietors who would be held entitled to relief on a general revision of the existing settlements.

11. I am of opinion that no amount of direct land revenue, which might possibly be hereafter assessed in excess of the demand which will be fixed at the approaching settlement, could bear any proportion to the increased sources of revenue which will, directly or indirectly, be gradually developed when the utmost possible simplification of the tenure of land shall have been effected, and its stability assured.

(signed) *R. Money*, Member.

MINUTE by the Honourable the Lieutenant-Governor of the North Western Provinces, in the Revenue Department, under date 27 May 1862.

THE questions on which my opinion is required in this department are two, viz. :—

1st. "The question of a permanent settlement, not only with special reference to the districts which have recently suffered from famine, but as a general measure applicable, sooner or later, to the country at large."

2dly. The question "as to the value of a legislative sanction for settlements for terms of years in districts," the existing settlements of which may not be of a character to be made permanent, in reference to its effect in improving "the tenure of land."

Letter from the Secretary to the Government of India, in the Home Department, No 2,033, dated the 7th of October 1861, calling for opinion on the subject of making the settlement of the land revenue, in the North Western Provinces, permanent, as discussed in paragraphs 62 to 82 of Colonel Baird Smith's Second Report on the Famine.

2. It will be convenient to dispose of this second question before proceeding to the consideration of the much more important and difficult subject of giving permanency to the settlement of the land revenue in these provinces.

3. In the course of the settlements which were effected in the North Western Provinces under Regulation IX. of 1833, and confirmed for certain specified periods by Act VIII. of 1846, in so far as the demand of the Government was concerned, all claims to proprietary right in land were determined by judicial inquiry, and carefully registered. The title so secured is fixed and permanent, though the assessment on the land is liable, as the law now stands, to variation on the expiry of the periods stated in Act VIII. of 1846. To use Colonel Baird Smith's words (paragraph 79), "the enjoyment of these (rights in the soil) is guaranteed to their proprietors by the most solemn and repeated sanctions." It does not appear to me, therefore, that "the tenure of land" in those districts, of which the existing settlements are not such as should be made permanent, can be "improved" by giving a "legislative sanction" to those settlements. Nor am I aware that any of the objections, to which at present temporary settlements are open, would be removed by that measure.

4. The other and more important question has engaged my best attention, and I should, probably, have given expression to my views before this, but for the interruptions incident to my tour, and the hope that I might, meanwhile, receive the remarks and opinions of the officers of the Irrigation Department, on the points discussed in paragraphs 146 to 164 of Colonel Baird Smith's Report relative to the administration of the Irrigation Department, and to the means whereby, in his judgment, "the interests of the Government (in that department) may be so guarded as to ensure there being no obstacle to the perpetual settlement of the land revenue." But I am reminded by a recent letter from the Government of India that the further postponement of my reply is undesirable.

5. In the remarks* which I was required to submit on the Report of Mr. Paterson Saunders, I have committed myself to the opinion that, in the present condition of these provinces, a permanent settlement of the land revenue may be introduced with great benefit, subject to certain conditions and exceptions; and I have pointed to the ground of that opinion in the fact that the system of leases for long periods, which has latterly distinguished the Revenue Administration of the North Western Provinces, and which has encouraged the application of capital to the land, resulting in very great improvement, would have its legitimate issue only in a perpetual fixity of the Government demand.

6. Regard being had to those remarks which have, in some degree, anticipated what I should have recorded on the present occasion, it cannot be necessary for me to discuss all the arguments for and against the measure under notice; the less that they have been considered, and impartially set forth in the minute of the senior member of the Board of Revenue, North Western Provinces, and that the conclusion arrived at by Mr. Muir is in accordance with the recommendation which is so powerfully and emphatically urged in Colonel Baird Smith's Report.

7. I do not, in the least, doubt that the gradual and cautious concession of a guarantee of permanency to the settlement of the land revenue in the North Western Provinces, generally, will be productive of all the advantages which Colonel Baird Smith and Mr. Muir, in even greater detail, have depicted. Judging by the effect of settlements for long periods, it may be safely anticipated that the limitation of the Government demand in perpetuity will, in much larger degree, lead to the investment of capital in the land. The wealth of the agricultural classes will be increased. The prosperity of the country and the strength of the community will be augmented. Land will command a much higher price. The prospective loss which the Government will incur by relinquishing its share of the profits, arising from extended cultivation and improved productiveness, will be partly, if not wholly, compensated by the indirect returns which would be derived from the increased wealth and prosperity of the country at large.

8. Nor should the minor advantages of freeing the people from the vexation and exaction which are inseparable from a periodical settlement of the land revenue; of saving the large expenditure which each revision of settlement entails upon the Government; and of removing the temptation which the approach of each such revision holds out to land proprietors of temporarily deteriorating their property, be disregarded. These are all burthens which bear, with more or less severity, on the Government and on the people, and if they can be got rid of without lasting detriment to the revenues of the State, few will be found to offer any opposition.

9. It must also be admitted, I think, that the settlement of the Government demand in perpetuity will be politically wise. It is true that in Behar, and also in some of the districts of the Benares Province (notably Ghazee-pore), which are permanently settled, the rebellion of 1857-58 was not less general, or less determined, than in other parts of these provinces which are under temporary settlement. But these manifestations of feeling must be regarded as having been the result of exciting causes, having but a transient influence, and can hardly detract from the force of the conviction that the absolute limitation of demand upon their land will be received by an agricultural people with the highest satisfaction, and will produce, if anything can, feelings of attachment to the Government, and of confidence in its desire to promote the best interests of the country.

* See your Letter, No. 1,866, dated the 16th September 1861.

10. But it certainly appears to me that the introduction of a permanent settlement must be subject to certain conditions, exceptions, and reservations, and that some years must pass away before the measure can be consummated. Precipitancy in a matter of this vast importance is to be deprecated, as pregnant with injury both to the Government and the people.

11. The primary condition is, that the existing settlements in the districts of these provinces must be revised with the utmost care and deliberation before they are declared to be permanently binding upon the people and the Government. These settlements were effected under the able direction of the late Mr. Robert Mertius Bird by a selected agency; but it was only gradually that the intricacy and complication of the work were evolved, and that the system was adequately elaborated. It is no reproach to those who were engaged in this difficult and important operation, to hold that mistakes must have occurred; that inequalities must prevail, some villages being overburthened, while others are insufficiently assessed; and that the mere march of time, with its attendant changes, has disturbed arrangements which, at the time, may have been just and sufficiently appropriate.

12. To perpetuate these inequalities, which are known to exist, would be unfair both to the Government and to the people. Under the system of temporary settlements, it is possible, periodically, to adjust the burthen of the demand upon the land by raising the assessments, where they are so low as to leave an extraordinary profit to the proprietors, in order to compensate for the relief that must be given to those estates which are depressed by the weight of a demand, which their assets are insufficient to meet, or which they can meet only with great difficulty. A settlement once declared by law to be perpetual, this power of periodical adjustment will cease; and the loss arising from unavoidable reductions, or alternatively, from constant remission of unrealisable balances, will fall upon the Government, while the proprietors of estates, which are under-assessed, will be in the enjoyment of profits, whether from extended cultivation, or other cause, to a share of which the Government would be fairly entitled, but which they will be debarred from claiming if the existing settlement be perpetuated without revision.

13. On the other hand, such perpetuation, without the previous inquiry which all agree in advocating, would be no less unfair to the people upon whom the burthen of taxation ought to fall equably. The proprietors of over-assessed estates would be borne to the ground by an insupportable weight which they could never throw off. They would be taxed at a rate double or treble of that applied to their more fortunate neighbours, and so be suffering for the benefit of those whose obligations to the Government is nowise different. Improvement would be out of the question. Alienation of the property would, in all probability, be the issue. Conversely, the parties possessing landed property inadequately assessed to the Government revenue, would be exempted for ever from their fair contribution to the necessities of the State, and would have an undue advantage over their brethren "in the race of improvement." Under such circumstances, there could not but be much dissatisfaction and discontent, and these not unreasonable, instead of the gratification and the confidence and the security which it is the object of the contemplated measure to produce.

14. Another consideration which makes this condition of a preliminary revision more obligatory is, that all the districts in these provinces have a similar and an equal right to benefit of the rule, by which the proportion of the assets, hitherto appropriated as land revenue, has been reduced from two-thirds to one half. The district of Seharunpore has been re-settled already, and has been admitted to the advantage of this rule. In the settlements which are now progressing, in the districts of Muzuffernuggur, Boolundshuhur, and Goruckpore, the same principle has been from the first observed. And there can be no just reason for excluding from the benefit of this rule, whatever that may be, those districts which have not yet come under re-settlement. This, however, is an injustice to which the declaration of perpetuity, without a previous revision of settlement, would give rise.

15. The necessity, then, of this revision cannot, I think, be denied. It must be carried out, as the settlement of each district falls in,* by the best agency that can be secured, and with all the precautions that are within our reach, as pointed out in the 47th and 48th paragraphs of Mr. Muir's Minute. The settlement, so revised, after being submitted to the scrutiny of the superior revenue authorities, and being confirmed by the Government, would be declared perpetual, in pursuance of authority which should be given by a law in that behalf, either to the Governor General in Council, or the Local Government.

* Act VIII. of 1846 shows the year in which the term of each existing settlement will end.

16. But I am of opinion, that certain districts of these provinces must be excepted for many years to come from this measure, and there will not be, as Mr. Muir has observed, any repugnance to the terms of Regulation IX. of 1805, in this postponement. The great benefits of a permanent settlement being admitted, it almost savours of injustice to deny them to one or more districts, while they are conceded to others. But the Government is entitled to bear its own interests in mind; and it is on this ground that I would exclude the following districts from the operation of the measure contemplated, until they shall have attained to "a sufficiently improved state of cultivation" to warrant the concession:—

1st. The Terai District is almost entirely unreclaimed. It has an extensive area and fertile soil; but it is very sparsely peopled, and the climate is so insalubrious that people

are found unwilling to settle there, even on very favourable terms. In this respect, improvement will be gradually effected by draining the swamps, and leading the water into artificial channels for purposes of irrigation; but, until this be accomplished, the population increased, and cultivation extended, this Terai District cannot yield a revenue bearing any reasonable proportion to its area, or its latent capabilities; and I cannot advise that the Government, by making a settlement in perpetuity, should shut itself out for ever from its legitimate share of the profits which will accrue as the reclamation and material improvement of this tract progresses.

2d. The district of Ajmere does not appear to me, as at present advised, to be ripe for a permanent settlement.

3rd. The district of Jhansie.
4th. The district of Oraie.
5th. The district of Lullutpore.

} These three districts, belonging to the Jhansie Division, lie on the right bank of the Jumna, in Bundelcund. They are, at present, in a very backward state, and are peopled by races who are the least industrious and least enterprising of agriculturists. There are extensive areas lying waste, which cannot, I conceive, be reclaimed for years to come, even though capital should be forthcoming, simply because the population is in no due proportion to the extent of land which is available, and because the climate of Bundelcund is so uncongenial to the natives of other parts, that new cultivators will not accept land there so long as it is to be had elsewhere.

17. It may be reasonably anticipated that in the course of time, and under the encouragement of a light assessment, and a more settled state of things than has usually existed in these quarters, the breadth of cultivation will be extended, and the prosperity of the people be improved. That these results might be in some measure accelerated by a perpetual limitation of the Government demand, as contended for in paragraph 54 of Mr. Muir's Minute, I will not take it upon myself to deny; but I think at the same time that the sacrifice of prospective revenue will be greater than the Government is called upon to accept, and that the measure will be premature in its application to districts which for the most part have been in our possession for no more than eight or ten years.

18. In respect of their physical features, these districts resemble Humeerpore and Banda, and the Trans-Jumna Pergunnahs of Allahabad, and so far the description given in paragraph 52 of Mr. Muir's Minute applies equally to all; but there is no question that Banda and Humeerpore, which have been under British rule since 1804, are in a more advanced, and also in a more settled condition, notwithstanding that the former has suffered grievously from repeated over-assessment, and is only now recovering slowly from the depression to which it was reduced, under the operation of a favourable settlement recently effected in a summary way.

19. It is to be regretted that statistics are wanting for the three districts of Jhansie, Oraie, and Lullutpore, and, therefore, their condition cannot be accurately compared with that of Humeerpore and Banda. But, in respect of these latter, the Report on the Census of the North Western Provinces, taken on the 1st of January 1853, affords data which enable us to compare them with the other districts of these provinces to which, it is agreed, a permanent settlement may be given; and this may conduct us to a decision of the question now under notice, namely, whether the districts of Banda and Humeerpore may be included in the measure which is contemplated. There are no data more recent than those referred to, and some changes must have taken place since, but these need not interfere materially with the deductions.

20. According, then, to this Census of 1853, the average rate of population in the North Western Provinces was 420 to the square mile, and the per-centage of "agricultural" on total population was 64·7. In Humeerpore the former was represented by 245, and in Banda by 247; while the latter was represented by 71·9 in Humeerpore, and by 69·0 in Banda. Here one great difficulty, against which these districts have to contend, is made apparent. It is, to use the words of the report, "the scantiness of population as compared with the arable land, and the cry is not for broad acres to till, but for strong arms to guide the plough." The same fact is further shown by a comparison of the area in the hands of each agriculturist, which amounted in Humeerpore to 3·63 acres, and in Banda to 3·75 acres, while the general average in the provinces was 2·86 acres.

21. Still, notwithstanding this difficulty, the proportion of cultivated to total area in these two districts does not contrast so unfavourably as might have been expected with that recorded in the report of other districts possessing much superior advantages.

The general average for the provinces of the "per-centage									
of cultivated on total area" was									
In Humeerpore	-	-	-	-	-	-	-	-	53·0
In Banda	-	-	-	-	-	-	-	-	53·6
	-	-	-	-	-	-	-	-	43·9

In Humeerpore, then, at the time the Census was taken, the proportion of cultivation was in excess of the average, while in Banda, though 10 per cent. under the general average, it was little below the per-centage in Goruckpore (47·5); Azimghur (49·5); Bijnore (48·5); Moradabad (48·6); Shajehanpore (48·4). All these, Azimghur excepted, are Sub-Himalayan districts, possessing belts of forests, but they still afford a tolerably fair

fair standard of comparison. It may, however, be desirable to examine the extent of *barren* area which each possesses, and the proportion of the culturable assessable area which was under tillage at the time of the Census.

22. The per-centage of barren acres on the total area is stated in the report to be, in the—

District of Bijnore	-	-	-	-	-	-	-	33·4
„ Moradabad	-	-	-	-	-	-	-	18·6
„ Shajehanpore	-	-	-	-	-	-	-	18·6
„ Humeerpore	-	-	-	-	-	-	-	23·2
„ Banda	-	-	-	-	-	-	-	22·5

while of the whole culturable assessable area is cultivated—

In Bijnore, a proportion of	-	-	-	-	-	-	-	70·3
„ Moradabad ditto	-	-	-	-	-	-	-	63·3
„ Shajehanpore ditto	-	-	-	-	-	-	-	36·8
„ Humeerpore ditto	-	-	-	-	-	-	-	58·9
„ Banda ditto	-	-	-	-	-	-	-	33·8

In the comparison of the “per-centage of cultivation on total area,” those districts which possess the largest extent of barren acres, show, of course, results much worse than in point of fact exist. The relative condition of the districts in regard to existing cultivation and future capabilities of extension will be more clearly exhibited by the proportion of the culturable area which has been brought under the plough; and tested in this way, Humeerpore is nearly on a par with the prosperous district of Moradabad, while Banda, with all its disadvantages of inadequate population, climate, difficulties of irrigation, and past misfortunes, is not far behind Shajehanpore, which has a population of 427 to the square mile.

23. All the circumstances considered, I must express my opinion that there is no sufficient reason for excluding either Banda or Humeerpore from the benefits which are expected to result from a permanent settlement, if that boon be given to the province of Rohilcund, and to the districts of Azimghur and Goruckpore, even though, as I am aware, the latter district has made great advances since the time when these statistics were collected. If we are to be guided by the declaration of Section 7, Regulation IX. of 1805, then, I think, regard being had to the peculiarities of Bundelcund, it must be held that the districts of Banda and Humeerpore have attained, as compared with other more favoured districts, to “a sufficiently improved state of cultivation” to warrant the concession of permanency to their settlements after these have been duly revised.

24. Neither would I be disposed to exclude the Trans-Jumna Pergunnahs of the Allahabad district. I believe that they are very backward, and that the people are extremely ignorant, slothful, and unenterprising; but they compose only a small portion of the Allahabad district, and it does not seem to me to be worth while, for the sake of the small enhancement of revenue which might be derived from them in years to come, to except them from the operation of a measure which will be applied to the rest of the district to which they appertain.

25. It may be left for future consideration whether the district of the Dehra Dhoon, in its very peculiar circumstances, shall be brought under a permanent settlement. There, as in the hill districts of Kumaon and Gurhwal, I should be disposed to leave the effect of the Resolution of the Governor General in Council, dated the 17th of October 1861, relative to the purchase, in fee simple, of the waste lands, and to the redemption of the land tax, to develop itself, before attempting to introduce the measure now under consideration.

26. But the most difficult section of this important subject remains to be considered. If the public demand on the land is to be fixed for ever, how is the right of the Government to a share in the enhanced profits, produced by irrigation from canals which have been constructed, or which, being now in progress, may be hereafter completed at the sole cost of the Government, to be protected and secured? I have viewed this question in every light, and I have bestowed upon it my most anxious consideration; but I cannot say that I have arrived at any conclusion which is satisfactory to me.

27. All the facts and the embarrassments arising out of them are clearly stated by the late Colonel Baird Smith, and the question is ably discussed, in its various aspects, by Mr. Muir, the senior member of the Sudder Board of Revenue, North Western Provinces, in paragraphs 62 to 77 of his Minute. It is needless for me to go over the ground which has been already trodden; but I shall be expected to express an opinion as to the course which should be preferentially followed.

28. The following propositions seem to be undeniable. The Government has an unquestionable right to derive a profit from canals which have been constructed, or may be hereafter constructed, solely at the public cost. This profit is divisible into two elements, namely, the one, water rent, or the price of the water furnished by the canal; the other, the increased land revenue arising from the improved productiveness of the land, and, consequently, the enlarged assets due to irrigation from the canal. This enhanced value

of their lands being due in no way to the application of their own capital, the landholders and others, who use water from the canal, may be justly required to pay to the Government a share of the profits which they derive from it.

29. To protect the interests of the State under a land settlement, declared to be permanent, of those districts which have canals of irrigation executed at the sole cost of the Government, or which may hereafter receive them, Colonel Baird Smith proposes, in paragraph 158 *et seq.* of his report, the formation of "an Irrigation Survey and Settlement Establishment," by which "the value of irrigation, as influenced by differences of level, of soil, of supply, and so on, would be determined by close and careful inquiry on the spot, and rates of water revenue, checked and guarded with as much care as those of land revenue, would be obtained, and applied in fixing at a light and equitable total, the demand of Government for water." It is apparently a condition of Colonel Baird Smith's scheme that the water should be delivered "by specific volumes" (paragraph 156), "by measure, through regulated outlets" (paragraph 165). He proposes that, ultimately, the canal revenue should be consolidated with the land revenue, the demand being "carefully discriminated in record and account, and credited duly to the Land Revenue and the Irrigation Departments in its proper proportions."

30. Had the Ganges Canal, the canals in Rohilcund, and other irrigation works in progress reached their full development as the Eastern Jumma Canal is believed to have done, and were there no probability of other similar works being undertaken, the application of Colonel Baird Smith's system (if feasible in itself) would perhaps offer the best means of securing to the Government its fair share of the profits due to the employment of its capital on the execution of the works in question. But this is in no wise the fact. It is calculated that not less than 1,000 miles of main distributing channels (Rajbuhars) remain to be excavated in the divisions of the Ganges Canal; and even when these shall have been completed, the irrigation will not be developed until the villages generally within reach of the canal shall have acquired confidence freely to take the water, and until the village water-course shall have been prepared. These results cannot be brought to pass within the currency of existing settlements of the land revenue so as to admit of the "irrigation settlement" proceeding simultaneously and *pari passu* with the contemplated revision of the public demand on the land before declaration of perpetuity. And even if there were any reasonable prospect of this, the execution, hereafter, of other works of irrigation would create the same difficulty, and it would need to be surmounted somehow.

31. I am afraid, too, it must be admitted, as argued by Mr. Muir, that it is hardly possible to lay down any rule whereby "the power of the Government to take the increased profits due strictly to the influence of its own capital, could be defined and limited in a satisfactory and absolute manner,"* in the case of a reservation being made to Government of a right to assess profits due to the operation of its own canals, when fully developed. Nor can I think that Mr. Muir's objections to any such reservation are weak or groundless. The people are peculiarly suspicious of the intentions and the purposes of the Government, and they would not fail to regard any reservation of such a right as a practical abnegation of the permanency which it would profess to give to the assessment of its demand on the land.

32. What is apparently contemplated by Colonel Baird Smith's scheme is the assessment of differential water rates, determined by differences of level, of soil, and of supply; but Mr. Muir holds that such an assessment could not be carried out, on the introduction of a permanent settlement, "without a special reservation sanctioning it in the act of perpetuity," because it would be an assessment rather on the increased productiveness of the soil, already assessed in perpetuity, than on the water.

33. On another occasion,† when this subject was brought before me, I expressed my belief that, "by the consentaneous and united action of the Collector and the Canal Officer, an assessment of differential water rates might be carried out in such a way as to secure a fair equality of burthen on account of these rents; to bring to the credit of the Canal Department the amount of revenue which it is entitled to claim; to leave the land revenue consequently 'a fixed and unvarying quantity;' and, while giving satisfaction to the people, to obtain for the Government its just share of the increased assets arising from works of irrigation constructed at its sole cost." At that time the question of a permanent settlement had not been mooted, and the complications arising out of the declared permanency of the public demand on the land were not in my view. It seemed to me that the increased value acquired by different lands, and by the same classes of soil in different localities, might be determined; but this process would certainly proceed, in some measure, on considerations of "the increased productiveness of the land itself;" and in the case of a district the settlement of which should have been declared perpetual, would be barred, unless there were an express reservation, the expediency of which is more than doubtful.

34. Still, if the scheme of assessment at differential rates is in itself feasible, it might be put in execution *simultaneously* with the revision of the land revenue. But here again the difficulty which has been already noticed interposes, namely, that the system could be applied only in canal districts, where the irrigation should have reached its largest development; and it follows as a consequence that, if this plan were chosen, the settlement of very few of the districts adjacent to the Ganges Canal and its branches, or to the canals

* Paragraph 70 of Muir's Minute.

† See note to paragraph 72 of Mr. Muir's Minute.

canals in Rohilcund, could be declared permanent for years to come. And as it must be assumed that as time advances other works of irrigation will be projected, the postponement above indicated would be projected, the postponement above indicated would be almost tantamount to a denial of a permanent settlement in toto.

35. The only officer, however, possessing a long and intimate experience of the irrigation system, whom I have had an opportunity of consulting as to the feasibility of Colonel Baird Smith's scheme, entertains very serious doubts on the point. If, as has been assumed above, it is a condition of that scheme, that the water shall be delivered by measured discharge through regulated outlets, then, according to my adviser, this would be the first obstacle to success. Admitting that in theory this system is quite unimpeachable, he holds that on the Ganges Canal it is at the present time certainly impracticable. The grounds on which this opinion rests are briefly stated in the following extract from an official letter on the subject:—

"The Pymana system * * * requires, as an essential element, that the pressure of water over an outlet shall be maintained practically invariable (0·3 foot). To provide for fluctuations in the volume of water carried by a rajbaha, and to keep the pressure over an outlet constant, some device similar to the modules in use on the canals of Lombardy is necessary. But it has been found by experience that the station module fails on all canals hitherto constructed in this country, owing to the presence of silt in the water. Silt not only renders the fluctuations in the volume of water entering a rajbaha head too great for the module to control, an evil which, if it existed singly, might probably have been remedied, but it chokes up the module itself. Various ingenious modifications of the module have been, from time to time, proposed with a view to adapt it to our canals, but up to this date none have been reported successful. Thus, then, the introduction of the Pymana system on the canals of these provinces generally is, at present, impracticable.

"Supposing, however, that this difficulty were overcome, and that some mode of maintaining a constant pressure of water over irrigation outlets were devised, it would be still premature to introduce the Pymana system on the Ganges Canal, even at this stage of its progress. Payment for water by known volumes implies a contract between the Canal Officer and the cultivator. How are the terms of the contract to be determined? The Canal Officer knows very imperfectly, the cultivator not at all, what volume of water is required to irrigate a certain area of land. The difficulty of arriving at a satisfactory conclusion on this point is enhanced when several kinds of crops, each demanding a different amount of irrigation, have to be provided for. The data required can be obtained only by extended experience.

"Again, no scheme for supplying canal water on contracts, based either on a standard measure, or an average of past years, can succeed until all irrigation outlets are constructed of masonry, or other material of a permanent nature. That this is not easy of accomplishment may be proved by a reference to the Eastern Jumna Canal, from which irrigation has been carried on for the last 30 years, with every desire on the part of the several officers, who have held charge of that canal, to substitute masonry for wooden outlets; but the task up to this date has been but imperfectly executed.

"Lastly, for the satisfactory fulfilment of contracts on the side of the Canal Officers, it is absolutely necessary that the volume of water carried by a canal should be liable to the minimum of variation; that, as in the case of the Ganges Canal, the portion of the whole volume to be allotted to each division of the main canal, and to each branch, should be rigidly determined; and that the whole of the minor branches, or rajbahas should be completed both in number and in working details. How far these necessary provisions exist on the Ganges at the close of this the eighth year of its existence it is needless to point out.

"The remarks in the last two paragraphs, though made with reference to contracts generally, apply with especial force to the Pymana system, which is indeed a system of contracts founded on refined scientific principles."

36. But even if these obstacles to the distribution of canal water by measured discharge should be overcome in the course of years, the officer alluded to believes that the work of making a differential assessment of the nature contemplated, will be so beset with complications and difficulties, that the result will be very unsatisfactory. Colonel Baird Smith, indeed (paragraph 77 of Report), felt confident that there would be no serious difficulty in "the working out of plans whereby the influence of canal action might be made compatible with a perpetual settlement of the land revenue," and he must in his own mind have had a full conception of these plans; but he has not, unfortunately, developed them in his report, and his lamented death has deprived the Government of the details, which he would have ably elaborated, of the system he contemplated.

37. If, then, the declaration of perpetuity, in respect of the public demand on the land in the North Western Provinces, cannot be deferred until works of irrigation in progress shall have reached their full development; if, in the declaration of perpetuity, no reservation can be made to Government (without risk of exciting distrust) of the right to assess profits arising from the action of canals, constructed solely at its own cost, on their attaining to their full development; and if consequently, the assessment of differential rates of water rent is barred, in that it must be guided, in some measure, by the increased productiveness of the land on which the public demand will have been declared fixed for ever; if these things must be, the only resource left to the Government appears to be that

* Paragraphs 73—
75 of Minute.

which has been suggested by the senior member of the Sudder Board of Revenue,* namely, that the rates of water rent should be raised, in order to make some compensation to the Government for relinquishing prospective accessions to its land revenue on the recurrence of periodical settlements. But in this even, great caution will be necessary, lest the Government defeat its own purpose. On the Eastern Jumna Canal, which has been in active operation for 30 years, and has, in the course of this period, so superseded all other modes of irrigation as to render the people almost entirely dependent upon it, the price of water may, it is believed, be raised very considerably without any fear of diminishing the demand for it. But the Ganges Canal is in its infancy. It was opened only in 1855, and then but partially, very few of the distributing channels having been excavated. In the Terminal Divisions (Cawnpore and Etawa) these are still very backward. Nowhere is irrigation from it developed to nearly its full extent. The people have not yet acquired sufficient confidence to take the water freely, and they are by no means dependent upon this source of supply. The imposition of largely increased water rates, at the present time, and for some years to come, would have the effect of checking, perhaps putting a stop altogether to, irrigation from the canal, which it must be the object of the Government, both for its own sake and for the sake of the country, to encourage and foster by all possible means.

38. In view of the large sacrifice† to which the Government must submit by giving permanency to a settlement of the land revenue in these “zones of irrigation,” before the sources of that irrigation have been fully developed, I should have been disposed to advise the postponement of the measure for such period as might be necessary to bring about that development; but that the arguments advanced in paragraphs 64 and 78 of Colonel Baird Smith’s Report are convincing as to the wisdom of its earlier execution, and further, that the difficulties which have been discussed in these papers must recur hereafter, if, as may be assumed, the action of the Government in respect of works of irrigation should not cease with the completion of those now in progress.

(signed) G. F. Edmonstone.

(No. 39.)

From *J. D. Gordon, Esq.*, Officiating Junior Secretary to the Government of Bengal, to *E. C. Bayley, Esq.*, Secretary to the Government of India (No. 863), dated 25 June 1862.

I AM directed to acknowledge the receipt of your letter, No. 1474, dated the 20th March last, requesting the early submission of the Lieutenant Governor’s opinion on the question of a permanent settlement of the land revenue of the Lower Provinces, discussed in Colonel Baird Smith’s Famine Report.

2. In reply to the abovementioned urgent call, the Lieutenant Governor desires me to say that he has already, as a member of the Governor General’s Council, recorded his opinion in favour of a permanent settlement of the land revenue wherever it can be effected without any undue sacrifice of the financial interests of the State.

3. In submitting, for the consideration of his Excellency the Governor General in Council, the accompanying copy of a letter, No. 146, dated the 10th instant, from the Board of Revenue, I am to state that the Lieutenant Governor can find nothing in it to shake the opinion already expressed in respect to any of the districts under the Government of Bengal to which a permanent settlement has not yet been granted, but that he will, hereafter, submit his views on this important subject in greater detail when he has had an opportunity of discussing it with the local officers, and of considering the means whereby the measure, if deemed expedient, may best be carried into effect.

4. Although strictly speaking, the Board are right in saying that a settlement of the land revenue as between the Government and the person admitted to settlement is a mere matter of contract, and that legislation is not necessary to give validity to a permanent, any more than to a transitory, one, yet the Lieutenant Governor has no doubt that the enunciation of a new lasting principle, in reference to the settlement of the land revenue in several large divisions of the Lower Provinces of Bengal, to say nothing of the rest of India, would most fitly be confirmed, as in 1793, by legislative enactment.

† See Tables in paragraphs 66 and 74 of Colonel Baird Smith’s Report, as showing the effect of canals in adding to the value of the gross produce of the land, and consequently in increasing assets.

(No. 40.)

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 146), dated 10 June 1862.

IN reply to the Officiating Under Secretary's letter, No. 1153 A,* dated the 15th November last, I am desired by the Board of Revenue to report on the subject of extending the permanent settlement to those districts of Lower Bengal which are now temporarily settled.

* A. Grote and H. D. H. Fergusson, Esquires.

2. The Board fully concur in Colonel Baird Smith's opinion of the advantages to be derived from fixing in perpetuity the Government demand of land revenue as a general measure, and one which, in course of time, should be extended to all districts; and they have given their careful consideration to the circumstances of each temporarily settled district within their jurisdiction.

The temporarily settled divisions are:—

- (I.)—Cut tack.
- (II.)—Assam.
- (III.)—Chota Nagpore.

And the districts:—

- (IV.)—Darjeeling, and
- (V.)—Cachar.

which will now be noticed in detail.

3. *Cuttack*.—Mr. Shore the Officiating Commissioner of Cut tack, has gone thoroughly into the question as regards his division. He has no doubt that a permanent settlement would be very acceptable to the people, and that means are available to enable us to make a very just and equal distribution of the public demand. Indeed this distribution has already been well made in the detailed 30 years' settlement which has still five years to run. Owing to the general excellence of the work, the value of landed property has so greatly increased that very few estates, he believes, have, in ordinary seasons, any difficulty in paying their revenue; and he believes that almost every zemindar would prefer the perpetuation of his settlement on existing terms to a re-settlement. Moreover, he is of opinion that a detailed re-settlement of the province, previous to the demand being permanently fixed, would not greatly benefit either the Government or the people. As to the interests of the people, all subordinate rights and tenures were ascertained and defined at the last settlement, with a precision that leaves nothing to be desired; and as regards the advantage to Government, he doubts whether a re-settlement would result in an increase of revenue commensurate with the expense that it would entail. The large addition made to the rent roll of the Khoordah Estate at the late re-settlement was caused by waste lands having been brought into cultivation, but the proportion of such lands in other parts of the province is inconsiderable; and culturable but uncultivated lands were assessed, though lightly, at the last settlement.

4. In the event of a re-settlement it will be impossible, Mr. Shore observes, not to concede to the zemindars 40 per cent. instead of from 30 to 35 per cent. as malikana, the higher amount having already been allowed in the more recent settlements. The decrease of revenue from this cause might be obviated by raising the rates of assessment all round in some proportion to the increased value of the produce of the land; but though the pressure would thus be made more equal, it is doubtful whether, on the whole, either the Government or the people would be gainers by such a re-adjustment. It is further to be remembered that nothing remains to be gained by resumptions.

5. Mr. Shore next discusses the question, whether, after the settlement is made permanent, remission of revenue should be granted, as it is now granted, on the occurrence of calamitous seasons. Sales for arrears of revenue have been very rare, but sales in satisfaction of decrees are common, and many of these sales have been owing, he believes, to difficulties caused by calamitous seasons, when the zemindar has been obliged to borrow money to save his estate from sale, only at last to see it go for a very inadequate price, in consequence of his inability to repay the loan. With a demand perpetually fixed, Mr. Shore would limit remissions to the single case of *loss by inundation*. It may almost be assumed, as an ascertained fact, that the embankments must give way if the river rise beyond a certain height. This has occurred twice in his experience as Collector. With this as a condition of permanent settlement, and a malikana allowance of 40 per cent., he is confident that the large zemindars at least, whom specially it should be the policy of Government to encourage, would be able to endure even a succession of bad seasons, and at the same time to give a fair measure of relief to their tenantry. This opinion, he observes, was held by Mr. Samuells, notwithstanding the apprehensions entertained by Messrs. Ricketts and Mills, that even with 40 per cent. malikana no settlement could stand, unless supported by relief in the shape of remissions on the occurrence of the exceptionally unfavourable seasons to which Cut tack has always been liable.

6. No great works of artificial irrigation existed or were anticipated when the current settlement was made, but the assessment was always fixed with reference to natural facilities

for irrigation, and these may probably be seriously interfered with by the projected extensive irrigation works. This difficulty, however, might be met by a reduction of rates equal in each case to the estimated injury to the land; the revenue being, of course, more than restored by the new water rates. Without some such means of solving the difficulty, a permanent settlement in face of an impending scheme of irrigation by canals seems to the Commissioner scarcely practicable.

7. Mr. Shore is of opinion that the right of Government to levy an excise duty on certain specified articles should be specially reserved in concluding a permanent settlement.

8. The Commissioner further points out that there are already a number of permanently settled estates in the province. These are the zemindarees mentioned in Regulation XII. of 1805, and consist of wild tracts of hill and jungle. Although these estates are inferior to those of the Moghulbundee in every respect in which the prosperity of a country can be tested, the difference is principally due to the nature of the country and the character of the people and their landlords, and no argument against the advantages of a permanent settlement can be drawn from their backwardness.

9. On the question of the advantage of giving legislative sanction to temporary settlements, Mr. Shore remarks that in Cuttack such a measure is not called for, the people already placing entire confidence on the good faith of Government.

10. The Board are of opinion that, in the present condition of the province, all rights having been settled, the value of land having increased, and there being very little unassessed waste area left in the Moghulbundee, the time for fixing the demand has come, and they would recommend the measure at once, but for two difficulties: these are the contemplated introduction of an extensive scheme of irrigation, and the probable unwillingness of the zemindars to give up their claim to remissions on the occurrence of calamitous seasons.

11. With the first question pending, to extend the rights of landholders would be unadvisable and would create difficulties. For this reason, and referring to the remarks of Lieutenant Colonel Baird Smith, in paragraph 60 *et seq.* of his report, on the relation between irrigation schemes and fixity of the Government demand, the Board think it desirable not to give any guarantee for the permanency of the present settlement until it be ascertained what effect the irrigation measures may have on the province. The remaining term of the present settlement (five years) will probably give sufficient time for so doing.

12. With regard to the second point, the Board would insist on the zemindars resigning all right to remissions on any grounds whatever (even the breach of the embankments), on the demand being permanently fixed. The Commissioner seems confident that the larger zemindars will be able to bear all risk of seasons. If a permanent settlement be given, it would be necessary to define what share of the embankment and sluice charges would in future fall on the zemindars.

13. The gain to Government from fixing the public demand will be wholly indirect. The zemindars would take increased interest in the management of their estates, and do their best to widen the present margin of their profits. The official sanction given to the present rates of rent would be withdrawn, and the owners would be at liberty to raise them in accordance with the provisions of the Rent Law. The relations between the zemindars and their tenantry would in fact be on the same footing as they now are in the permanently settled districts of the Lower Provinces. As an additional argument in support of the Board's view, that the settlement should not be declared permanent till the five years for which it still has to run shall have expired, it may be observed that the present rate of each tenant's rent being guaranteed to him under the current settlement, the power of raising the rents could not be exercised by the zemindar till the expiration of the five years.

14. It is possible that revised arrangements might be necessary regarding the canoongoes and surburakars. On this point further report has been called for from the Commissioner.

15. *Assam.*—The Commissioners of Assam, Major Hopkinson, observes that the state of the Upper Provinces is so different from that of Assam, that the grounds on which a permanent settlement might be desirable in the one do not apply to the other. He regards Lieutenant Colonel Baird Smith's objections to the settlement in the North West Provinces as being directed not so much against the system of temporary settlements (for there may be over-assessment under any system), as against the rates imposed. The permanent settlement, he observes, would probably not find the favour it does in Bengal, were it not that it is a perpetual settlement of a moderate assessment. In Assam, where the population mainly consists of peasant proprietors, each man cultivating on his own account, a land tax assessed on the area of each man's cultivation is substantially an income tax. So long as it is kept within moderate limits, it will press as lightly on the people, to say the least in its favour, as an income tax would do; it will no more check cultivation than an income tax checks trade, and there is no more reason for making a perpetual settlement of it with some third party, by whatever name he may be called, than there is for so settling the tax under Act XXXII. of 1860.

16. Major Hopkinson expresses his doubts as to the share the perpetual settlement has had in producing the superior prosperity of Bengal, as compared with the Upper Provinces. He thinks the natural advantages of Bengal would account for a yet greater difference. He observes that the regulation district of Gowalparah, which is permanently settled at only 14,000 rupees, has not made more rapid advances in prosperity than the neighbouring non-regulation district of Kamroop, with its annual revenue of upwards of 3½ lacs. He chiefly values the perpetual settlement of Bengal, because it has taken the place of the system of farming the revenues, which he regards as the worst of all systems.

17. Major Hopkinson holds a land tax on the ryotwar principle to be the most expedient way of raising a revenue in Assam, and would have it subject to enhancement from time to time, in proportion to the rise in the value of the produce of the soil and of labour, and to the depreciation of the metallic medium. To this enhancement he looks as a means of creating resources for reproductive works, the increase levied being re-disbursed among the people, from whom it is taken in the shape of wages for their labour. If it be granted that a permanent settlement is desirable for Assam, Major Hopkinson inquires with whom it should be concluded in the absence of any actual proprietors of land between the ryots and the Government? Under the former Native Government, not only the land but the ryot was the property of the State.

18. With reference to the proposal to secure temporary settlements for long periods by legislative enactments, Major Hopkinson remarks, that such settlements could in Assam be made with farmers only, and of all systems he looks upon that of farming the land revenue to be the most indefensible, especially for Assam.

19. The Board, without concurring in Major Hopkinson's views on the general subject of a permanent settlement, agree with him that, under all the circumstances, a permanent settlement of the Assam Province at present would not be expedient. There is in fact no one with whom such a settlement could well be made. The Government must sell or confer a proprietary title before the question of settling the demand in perpetuity can arise. They do not recommend any alteration in existing arrangements which have answered well in the province.

20. *Chota Nagpore*.—In the Chota Nagpore division the estates are all permanently settled, with the following exceptions:—

Khalsa Palamow; the Colehan of Singbhoom; some resumed Mehals in Khuruckdea; Kodurmah, a confiscated estate; two other confiscated estates in the Chota Nagpore Zemindaree, and the Porahaut estate.

21. Major Dalton recommends a permanent settlement of the Khuruckdea Mehals and the Kodurmah estate with the ticcadars. By the existing settlement a fair assessment has, he observes, been obtained, and no loss to Government is to be apprehended. The Board have found it necessary to call for further information on certain points, on receipt of which they will submit a definite proposition for the permanency of these settlements, if advisable. The Commissioner does not recommend the extension of the arrangement to the other estates. Palamow is under survey, and there are large tracts of arable waste well suited for cotton and other valuable products, which should be reserved for grants; moreover, but few of the farmers can claim even a long interest in the villages which they hold. In the Singbhoom Colehan, the existing settlement with the Mankees, who have no proprietary rights, is of a peculiar character, and affords no data for a permanent land revenue assessment; nor could inquiries be made during the currency of present engagements without seriously disturbing the minds of the people; the Commissioner believes that some of the Mankees would, if invested with proprietary rights, follow the old policy of the Coles in excluding all Hindoos from their estates. The confiscated estates in the Chota Nagpore Zemindaree have only recently been acquired, and no regular settlement or survey of them has yet been made, nor any steps taken to define rights. Of the Porahaut estate, the Commissioner appears to consider a perpetual settlement to be barred by the orders of Government to his address, No. 2668, dated the 6th December 1858, which directs that the settlement be for 20 years.

22. As to the bestowal of legislative sanction on existing temporary settlements, Major Dalton sees no necessity for any such measure. The settlements made under the existing law have all the validity that is required.

23. The Board concur with Major Dalton as to the propriety of his proposed exclusion from permanent settlement for the present of the estates mentioned above.

24. *Darjeeling*.—The Superintendent of Darjeeling, Dr. Campbell, observes that the rules of 1859, under which waste lands may be had in fee-simple, together with the late Resolution of the Supreme Government, have settled the question of a permanent settlement in the Hill territory, and a great portion of the Terai in which there are no rights of previous occupancy. As regards that part of the Terai which came into possession of Government in 1850, by confiscation from the Sikkim rajah, he observes that this tract which contains 19 mouzahs, divided into 852 jotes, was first settled for three years at a jummah of Rs. 28,361. 14., and afterwards a 10 years' settlement was made at a jummah of Rs. 33,159. 4. — $\frac{3}{4}$. This settlement, which will expire on the 30th April 1863, although yielding 40 per cent. more than the Sikkim rajah's late jummah from the same tract, has stood well, it having been found necessary to remit 450 rupees only for causes other than

diluvian, and no revenue sales having taken place. The area in cultivation has much increased, and land which, in 1850, was not saleable at one year's rent now frequently changes hands at six years' purchase. The chowdries, 10 in number, have petitioned for a long settlement, and Dr. Campbell recommends that the settlement of 1853 be made permanent. In the case of those jotes settled on 10 years' leases, which have been cleared and settled since the general settlement, and usually at low rates, the Superintendent would re-adjust the assessment before fixing the demand in perpetuity. If a permanent settlement should not be granted, the Superintendent recommends a period of 50 years, and at all events 30 years for the next settlement.

25. From a later communication from the Officiating Superintendent, Captain Murray, the Board learn that there is not much jungle land in the old jotes which were settled in 1853 (perhaps one-sixteenth of the whole area), and Mr. Wake sees no reason for recommending that the re-settlement, which must now be made should be for a longer period than 10 years.

26. The Board are of opinion that a permanent settlement of the Terai at present would be premature. The condition of the people is greatly improving under the present system, and there is every hope of still greater improvement, by which the Government will eventually benefit largely if permanent arrangements be postponed. The chowdries, moreover, to whom Dr. Campbell proposes to give a long, if not a permanent settlement, have, the Board find, no proprietary title. They are merely tax-gatherers.

27. *Cachar*.—In Cachar, Captain Stewart observes, farmers are unknown, and crops are raised with a safety, certainty, and facility, which render the smallest landholders secure and independent. A permanent settlement would, doubtless, increase the value of land to the landholder, but even now the right of occupancy fetches a considerable sum under existing leases; as much as Rs. 5. 7. 3. per beegah of 6,500 feet; in Sylhet the Collector reports a beegah to sell for about Rs. 8. 9., but Captain Stewart considers the difference of price due to the greater population of Sylhet, and the smaller area of culturable waste, whereas in Cachar it is much more common to clear jungle lands, than to buy lands already cleared.

28. If a permanent settlement were introduced in Cachar, it must be settled either as one large zemindaree, or by dividing it into several small estates. Such a settlement, with each of the present holders, would be to perpetuate contention. There are in Cachar 7,447 estates comprising 2,19,673 acres, settled with 70,554 persons, and an estate has sometimes upwards of a hundred shareholders. The present periodical settlements have the effect of settling all disputes and defining rights.

29. The province came under the British Government in 1837. Under the former rajah, the settlement of 1830–31 comprised 35,735 acres, which, at Rs. 5. 8. a koolbah, yielded 21,443 rupees; at our last settlement in 1858–59, the assessment was at Rs. 3. 8. per koolbah only; but the assessable area amounting to 3,71,260 acres, the total revenue will be no less than 1,49,312 rupees, before the expiry of the settlement, which is made on a progressively increasing jumma for 20 years. This enormous increase of cultivated area and of rent in 30 years is a result which would not have been obtained under a permanent settlement. On the expiry of the present settlement, Captain Stewart has no doubt that the rate formerly demanded by the Rajah (Rs. 85. 8. a koolbah) will not be found excessive, and he sees no reason for foregoing an increased revenue which can be derived merely by maintaining a system which experience has shown to have worked well.

30. The Board concur with the Superintendent and the Commissioner of the division. Under the present system of term settlements immense progress has, they observe, been made; and here, too, there are no parties with a right of permanent settlement. Under such settlement a more rapid progress in prosperity could scarcely be looked for than has been attained under the existing system. It is quite clear that improvement is still going on, and there is no reason why Government should not share in its profits. The Board would, therefore, abandon all idea of a permanent settlement in Cachar, till the result of a new settlement to be made in 1878–79 on expiry of the existing leases shall be known. In exceptional cases, however, where sufficient cause may be shown, occupants might be allowed to buy a zemindaree title and engage in perpetuity.

31. It only remains to add, with reference to paragraph 2 of the letter under acknowledgment, that it does not appear to the Board that a special law, giving legislative sanction to existing temporary settlements, would practically give the landholder greater security than he now has under his special engagements with Government. The general law of contract governs his relations with Government under the present practice, and there is no doubt that the civil court would indemnify him for damage incurred by an infraction of the terms of contract on the part of Government. If the special law contemplated be intended to contain any more stringent provisions for the landholder's protection during the currency of his settlement, there is no reason why these should not be introduced with equal effect into the engagements executed between Government and the zemindars.

— No. 41. —

From Captain *H. Mackenzie*, Secretary to the Chief Commissioner, Central Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 532), dated Head Quarters, Nagpore, 22 July 1862.

YOUR No. 2038 of the 7th October 1861, and subsequent letter, No. 1474 of the 20th March 1862, requiring the opinion of the Officiating Chief Commissioner on the question of a permanent settlement of the land revenue, discussed in paragraphs 62 to 82 of Colonel Baird Smith's Famine Report, and as to the value of a legislative sanction for settlements for terms of years where existing settlements are not of a character to be made permanent, have, up to the present time, remained unanswered. The subject was very important, and the changes in the administration of these provinces rendered it impossible to accord that attention to it which it merited. The Officiating Chief Commissioner having, however, now fully considered it, in reference to its bearing on the peculiar condition of the districts comprised in the Central Provinces, is prepared to submit his opinion, and has, accordingly, desired me to report as follows :—

2. In the first place, it may, the Officiating Chief Commissioner remarks, be superfluous to state that here, as elsewhere, a permanent settlement would affect only the land tax itself. It would fix the assessment for ever, and it should be more accurately termed the permanent and perpetual limitation of the direct State demand on the land. It would in no wise affect the fundamental right and property of the people in the land. *That* right and property will be fixed absolutely and immutably, whether the land tax be limited to a certain sum for ever, or not. The value and interest of such right and property will indeed be greater or less, according as the State demand is fixed for a short or a long term, or for ever. But under *any* circumstances, the nature and essence of the right and property itself will remain the same.

3. Here then, as elsewhere, in the above sense, the *principle* of a permanent settlement is applicable. It would have an effect altogether, beyond immediate calculation, in stimulating the industry, enterprise and self-reliance of the agriculturists, the application of capital, the accumulation of wealth. Where the assessments were fair, it would be accepted as a great boon by the people. On the one hand, the State, no doubt, will subject itself to prospective loss, by surrendering all future right to increase its land revenue. But on the other hand, such loss would be more than compensated by the gradual, if not rapid, increase of all the other branches of the revenue. These branches entirely depend on the growth of wealth in the mass of the people. A permanent settlement will contribute more than any measure that could be devised to augment that wealth. It follows that a permanent settlement will cause all other heads of revenue, except land tax, to increase. Now in these provinces more than one-third of the total income is derived from taxes other than the land tax—the other taxes are increasing, the land tax alone remains stationary. In a fiscal point of view, then, there can be no fear for the success of a measure which would, while restricting the land tax, cause all other taxes to rise. Again, it is quite true that the value of money will continue falling, and that prices of produce will rise more and more throughout these provinces. Thus, the agriculturists will, in a short time, receive much more for their produce than they ever did before. On the other, the price of labour will rise, and that will greatly enhance the State expenditure. All the salaries and establishments of the lower grades, at least, will be gradually raised, and the cost of public works will be greatly enhanced. There might appear to be some risk, then, if Government, while anticipating increased expenditure, were to limit the land tax, the main source of revenue. But it will, in reality, be quite safe to trust to increase of other taxes. It was declared, quite irrespectively of the permanent settlement, in the joint report of Colonel Elliot and Mr. Temple, that "*it is rather from the miscellaneous taxes, than from the land tax, that increase of resources is to be expected.*"

4. A permanent settlement, then, so far as it can be introduced, will be, *firstly*, good for the people, and *secondly*, good equally for the State. The

questions remaining are :—To what extent could it be applied? And *When could it be introduced?* Now it is to be ever remembered that in these provinces the railways, the roads, and the navigation will certainly work great changes, while similar results are not here to be expected from irrigation. But this prospect exists here, in common with the rest of India, neither more nor less. If then the prospect of material improvement does not bar the concession of a permanent settlement elsewhere, neither should it have that effect here. So far then as railways, roads, and navigation are concerned, the Central Provinces seem as much entitled to the advantage of a permanent settlement as other provinces of India. But further, it is to be borne in mind that the amount of culturable waste in these provinces is enormous; and though this condition may exist more or less everywhere, it is peculiarly prevalent here; not only are vast tracts of culturable waste vaguely claimed by parties with doubtful title, but within the legitimate boundaries of many, even perhaps the majority of estates and villages throughout these provinces, there is a large proportion of culturable waste. Now, although the inducement held out by a permanent settlement to reclaim the waste is one of the cardinal benefits of that measure, still it is but fair to the State that this privilege should be kept within *moderate* bounds. It would be right to allow to every estate permanently settled a just margin of waste as a field for extending cultivation. But it would not be right to allow a permanent settlement to an estate which might include a large or indefinite area of waste, at present quite beyond the means of the owner to reclaim, but capable in the future of being rendered valuable by a variety of contingencies.

5. Thus in these provinces there are many estates and villages, many entire tracts, and some entire districts, where a permanent settlement could not at present be properly introduced. Such districts are Raepore, Belaspore, Sumbulpore, Sironcha, Bhundara, Mundla, Seonee, Chindwara, Baitool. All these districts are in a transition state; and influence will, it is hoped, be sooner or later brought to bear, which shall change the entire face of them.

6. On the other hand, there are some districts, in each of which a permanent settlement might be introduced into *parts*, but not the *whole*, with as much benefit and as much reason as into other parts of India. And into these the introduction of the measure has been recommended. These districts are Nagpore, Chandah, Natchengaon (Kowta), Jubbulpore, Saugor, Dumoh, Nursingpore, Hoshungabad. All these districts (excepting Saugor and Dumoh) have large portions of their area continuously and highly cultivated, and subject to the same kind of development as the rest of India. The Saugor and Dumoh districts are more rugged, and do not possess long strips of cultivation like those just named; but in other respects their position is the same. As regards past assessments, some have been too high and others too low; but this circumstance is not peculiar to these districts, and is but too common everywhere. On the other hand, for the Jubbulpore, Saugor, Dumoh, Nursingpore and Hoshungabad districts, there are the fiscal data year by year during 35 years of British rule. For the Nagpore, Natchengaon and Chandah, besides the British assessment, there are the data of the assessments made during the Regency exercised by Sir R. Jenkins and his officers.

7. Such being Mr. Temple's views on this question, I am further to state that he sees no reason why they should not be applied in the course of the settlement now in progress. The state and circumstances of the operations connected with that settlement were reported at some length in my No. 11* of 30th ultimo; it is, therefore, unnecessary to enter into great detail on this point. The Officiating Chief Commissioner would merely submit that, should his Excellency the Viceroy in Council be pleased to approve, *firstly*, the general principles of the question as above laid down; and *secondly*, the application of them at once to such of the districts in the Central Provinces as are advanced enough to receive them, then he would solicit that sanction be accorded to the following specific measures :—

8. (I.) That, when in the course of the present settlement it shall appear to the authorities engaged in making the settlement that an estate is, in the sense explained above, fitted for a permanent settlement, in such estate the assessment be made in perpetuity.

9. (II.) That

* To Government Foreign Department.

9. (II.) That one of the chief conditions of fitness for this boon be, that at least three-fourths of the culturable area is under cultivation.

10. (III.) That it be competent for Settlement Officers to hold out a promise, in certain cases, that on estates attaining that advanced state in which three-fourths of the land is under cultivation, a revised assessment be and declared permanent.

11. Thus, if a permanent assessment be really desired by the people, then this system would induce every landholder to increase his cultivation, so as to secure the boon, and thus the greatest possible stimulus might be imparted to agricultural industry.

— No. 21. —

EXTRACT, India Revenue Proceedings, September 1862.

(No. 50.)

From *J. W. Robinson*, Esq., for Secretary to the Landholders' and Commercial Association, to *E. C. Bayley*, Esq., Secretary to the Government of India; dated 23 September 1862.

I AM directed by the Committee of the Landholders' and Commercial Association to hand you the accompanying copy of a letter addressed to the Secretary of State for India, by the London Committee of this Association, on the subject of the sale of waste lands, and the redemption of the land tax. I shall be obliged by your laying this letter before his Excellency the Viceroy, who will observe from it how entirely the two Committees of the Association agree in their views upon the whole of these important questions, and I have to express the hope that, should opportunity hereafter offer, his Excellency may be induced to give his support to these views.

(No. 51.)

From *W. F. Fergusson*, Esq., Secretary to the Landholders' and Commercial Association, to the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Her Majesty's Secretary of State for India; dated, 8 Craig's-court, Charing Cross, S. W., 1 August 1862.

I AM directed by the London Committee of the Landholders' and Commercial Association of British India, to express the surprise and regret with which they have perused the instructions recently sent out to the Governor General of India, respecting the sale of waste lands, the redemption of the land revenue, and the extension of the permanent settlement, and respectfully to submit the following observations on the subject:—

The Committee regret that Her Majesty's Government cannot approve of the proposal to fix an uniform price for all unassessed and unreclaimed lands throughout India, without reference to locality or situation, even with the reservation of special tracts, which the Government of India retained the power to make. The Committee believe that this power of reservation, coupled with the provision for putting up to public auction all lands for which there may be more than one applicant, would be sufficient for all practically useful purposes, and they fear that requiring the several Governments of India to fix a minimum price, suited to the circumstances of the various description of land in each district, would cause great delay and inconvenience, and lead to varying rules and practice in different parts of the country. Paras. 6, 7, 8, and 9.

Sale of all waste lands by auction.

The Committee consider that to require that all the lands applied for should be put up to public auction, would operate most unjustly; for instance, a man may have expended means and time in acquiring knowledge of the suitability of certain localities; he finds a spot and applies for it, but according to the proposed rule the fruit of his labour, outlay, and knowledge, may be wrested from him by another who has been laying by and watching his proceedings, or he will have to pay an exorbitant rate to Government to secure any benefit from his own unaided expenditure. Para. 10.

As to giving possession of unsurveyed lands on payment of the Collector's estimate of the cost of the survey. Para. 11.

You propose that possession shall not be given until after the survey, but the Committee have to point out that this again would involve great delay. There is no staff of surveyors available anywhere, as an instance of which the Committee beg to mention that, though in Cachar upwards of half a million sterling has been expended in tea plantations, not a single estate has been surveyed, notwithstanding the urgent representations and entreaties of the grantees that it should be done.

The Committee do not object to all reasonable precautions in giving notice to any parties that may be interested; but to refuse to give possession until the land has been formally surveyed, would be to throw back all clearances for years.

Paras. 13, 14, and 15. The Committee are aware that legislative enactment would be necessary before claims to property in land, which has been allowed to lie dormant, could be barred, but they believe that such rights over waste lands are only of the most trifling value, and can be rarely established. At all events, they submit that it is a wise and politic measure in Government undertaking the adjustment of them, for otherwise they might be a source of much annoyance to the new proprietor.

The Committee doubt the statement that much land that is now, and has long been, waste and unclaimed, was formerly, and within no remote period populous and fully cultivated. Such may have been the case in lands overrun by hostile armies, and which are now under native rule; but in no part of the country which has come under the British dominion, do the Committee believe that rights to land have been allowed to lie dormant.

Para. 16. It appears to the Committee that the limitation by the Government of India "to ryot-warry land at the *absolute* disposal of Government," is sufficient to obviate all objections to the rule proposed by it.

Para. 18. The Committee do not lay stress on the proposal for reserving adjoining lands for grantees under certain conditions, they would prefer that the limitation as to the extent of the grant should be done away with, which would render this clause unnecessary.

Paras. 19, 20, and 21. Commutation of existing grants.

The rules upon this subject, will, no doubt, require explanation and some modification, so as to meet fairly and equitably the conditions of the existing grants.

It does not appear just that the grantee who has expended capital and labour in clearing his grant, should have to pay double the price on the extent so cleared that the man who has done nothing to his grant would have to pay, and it will be felt as a great hardship and injustice if those who have acted as pioneers in the clearing and cultivation of jungle and waste cannot obtain the boon of holding the land in fee-simple, on at least as favourable terms as those who now propose to follow in their wake, and who will benefit by their experience.

The Committee, on behalf of the Association, are anxious that it should be made perfectly clear that the claims of Government, ceded under the grants, include only claims on account of land revenue. It is their interest that no one should be exempt from general taxes, or from local rates, and that all should bear a fair share of the public burdens.

Upon this section of the Despatch, the Committee would respectfully submit that simplicity and uniformity in the rules is a great object; that scattered as the waste lands are, there are no means for formal survey being rapidly executed; that from their very nature there are few, if any, inhabitants; and that in the parallel case of Ceylon, no difficulty has been found to arise from a fixed and uniform price.

The Committee would further take leave to point out that the withdrawal of the terms offered for the sale of waste lands by the Resolution of 17th October, would involve great confusion and possible loss to parties who have made arrangements on the faith of them for the sale, transfer, and cultivation of lands; that it would put a stop to arrangements which it is within the knowledge of the Committee are being made for the introduction of cotton planting on a considerable scale; and they submit that, under any circumstances, all the applications duly made for the purchase of waste lands, and for the commutation of existing grants in terms of the Resolution of 17th October, ought to be carried out.

The Committee observe with much satisfaction the decision of Her Majesty's Government, that a settlement in perpetuity of the Government claim upon land shall be made in every part of the country after a careful revision of the present assessment, in order that the rights of Government, and of others, may be fully and correctly estimated and ascertained.

The Committee believe that this is a measure of the greatest benefit and importance to the country, socially and politically, and that if accompanied with measures providing for the sub-division of estates, so that they may become the property of small holders, are the advantages expected, sooner or later, will be derived from it.

With respect to the redemption of the land revenue, the Committee beg respectfully to question the accuracy of the statement that this has been proposed and advocated with the object of promoting the settlement of Europeans in India. It would, no doubt, be an advantage to an absent proprietor to feel that his estate was not liable to irrecoverable forfeiture, as at present, by the failure or neglect of his agent to pay up the claim of Government on a certain day; such a penalty must always prevent Europeans from permanently investing in land; but if the right were conceded, the Committee are convinced that it would be more largely availed of by natives than by European landholders, so soon as the former were satisfied of the good faith of the proposal.

In proof of this, the Committee would refer to the avidity and the very high rates at which lakhraj or rent-free lands are sought for, and bought up, and they feel assured that the privilege of holding land free from all interference of Government would be valued and paid for at even higher rates than were proposed whenever confidence in the stability of the English rule was felt, and the people considered it certain that a re-assessment would not take place, and that the land would really be free from further claims on account of land revenue.

The Committee would, therefore, respectfully request that the Resolution of the Governor-General

General of India in Council, of 17th October last, may be permitted to stand, as regards the redemption of the land revenue, in the permanently settled part of Bengal, to the extent of 10 per cent. of the revenue in each district, and for the limited period of five years, as originally proposed, but with the modification as to the price of redemption ordered in your 75th paragraph.

The Committee again urge that the Resolution of 17th October, as to the sale of waste lands, may be permitted to stand with such modification as to the terms of commutation of existing grants as may be fair and just, and they express their belief that it is only by these rules being confirmed, that the opportunity will be given, and the experiment fairly tried, as to whether cotton, tea, coffee, &c. can be produced to such an extent, and of such a quality as to render England independent of foreign countries for a supply of these and other valuable staples.

(No. 52.)

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *S. M. Robinson*, Esq., Secretary to the Landholders' and Commercial Association (No 5262), dated 27 September 1862.

I AM directed by the Governor General in Council to acknowledge the receipt of your letter dated the 23d instant, enclosing copy of a communication addressed to the Secretary of State for India by the London Committee of the Landholders' and Commercial Association on the subject of the sale of waste lands and the redemption of the land tax.

— No. 22. —

EXTRACT India Foreign Revenue Proceedings, January 1863.

(No. 6.)

From Captain *H. Mackenzie*, Secretary to Chief Commissioner, Central Provinces, to Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department (No. 38), dated Head Quarters, Nagpore, 8 October 1862.

WITH reference to your No. 490, of 3d ultimo, I am now to submit a further statement of the views of the Officiating Chief Commissioner on the subject of the introduction of a permanent settlement into the Central Provinces after an attentive consideration of the Despatch from the Secretary of State (No. 14), of 19th July last, forwarded with your No. 480, of 30th August.

2. In letter from this office (No. 532), of 22d July last, and in the revenue chapter of his Administration Report, recently submitted, the Officiating Chief Commissioner advocated the measure at some length. But so far as that advocacy relates to the general principle of the measure, a recapitulation of the arguments then made use of is now unnecessary, inasmuch as, after a discussion of the various views which have been from time to time expressed on the subject. Her Majesty's Government have, in the 58th and 63rd paragraphs of the Secretary of State's Despatch, finally affirmed the principle, and ordered its application wherever "the conditions absolutely required as preliminary to such a measure are or may be hereafter fulfilled." It therefore only remains to re-examine whether those conditions are fulfilled in any parts of these Provinces.

3. The conditions which are laid down as essential, may be thus stated :—

First. That there shall be available, for the purpose of determining whether a given tract be in a mature state for the permanent limitation of the land assessment, those data which are derivable from a revenue survey of the land.

Second. That the assessments of land revenue shall have had sufficient trial to admit of the discovery of the defects which may always be presumed

to have remained undiscovered at the time of survey assessment, such defects being defined as

1st. Over-assessment.

2d. Inadequate assessment, whether *positive*, in respect to its incidence per cultivated acre, or *relative*, in reference to the excessive amount of culturable, but uncultivated land in the assessed area.

3d. Unequal distribution of assessment.

1. Raepore.
2. Belaspore,
3. Sumbulpore.
4. Sironcha (Upper Godavery District).
5. Bhundara.
6. Mundla.
7. Seonee.
8. Chindwarra.
9. Baitool.

1. Nagpore.
2. Chanda.
3. Wurda (Nach-engaon).
4. Jubbulpore.
5. Saugor.
6. Dumoh.
7. Nursingpoor.
8. Hoshungabad.

4. The Officiating Chief Commissioner previously stated that there were certain districts in the Central Provinces, noted in the margin, which cannot be considered to be in a fit state for the introduction; and, on the other hand, certain others, marginally entered, in each of which a permanent settlement might, in Mr. Temple's opinion, be *partially* introduced. The grounds for that opinion were then stated but briefly. I am now to enter more fully into the circumstances of each district or tract, testing them by the above conditions, on the fulfilment of which alone it would now be proper to recommend that a permanent settlement be conceded.

5. Out of the eight districts above mentioned, five, viz., Jubbulpore, Saugor, Dumoh, Nursingpoor, and Hoshungabad, have passed through a 20 years' settlement, which expired in 1855-56. It was not based on a professional survey, but it worked fairly. It is now being revised on the basis of a professional survey. The operations were commenced, and the establishments organised under the Government of the North Western Provinces, and it may be hoped that the present settlement will not be inferior to that of the North Western Provinces; and the fiscal arrangements (though differing in respect of tenure) should be similar, at least in respect of efficiency.

6. In paragraph 50 of the Secretary of State's Despatch, Sir Thomas Munro's opinion is quoted, to the effect "that after a survey assessment has been completed with as much care as possible, a trial should be always made of it for six or seven years, in order that all defects in the assessment be discovered." It may, however, be presumed that this advocacy of six or seven years' delay has reference chiefly to tracts of country in which, previous to the survey assessment, there may have been assessments only of a very summary character. The essence of Sir Thomas Munro's opinion lies in the "discovery of defects." The question, therefore, in regard to these five districts, would appear to be, whether, when the present revision of assessment upon the basis of a professional survey shall have been completed, there will be grounds for assuming that all essential defects have been discovered and removed. It appears to Mr. Temple that this question may be answered in the affirmative; for, *first*, in regard to the defect of "over-assessment," proceeding on the experience of a 20 years' settlement, and with the aid of a professional survey, there will be few estates of which it may not be safely affirmed, without further trial, that their assessment is as good as that of the estates of any province in India; *secondly*, as regards the defect of "inadequate assessment," the same means which will enable the Settlement Officers to avoid over-assessment, will also enable them to avoid positive inadequacy of rates on the cultivated area. And relative inadequacy of assessment in view of the possible inclusion of an excessive amount of uncultivated land within the whole area of an estate will be prevented, *firstly*, by the measures which Mr. Temple discussed in the 189th paragraph of his Administration Report; viz., the separation from the nominal limits of estates of tracts of excessive waste, and the consequent circumscription of private property in land to actual occupancies, whether cultivated or otherwise; and, *secondly*, by the rule which was proposed in the 10th paragraph of this office letter, No. 532, of 22d July, that permanent settlement should only be conceded when the cultivation should equal three-fourths of the whole assessed area. Again, in respect to the 3rd cardinal defect, viz., "*unequal distribution of the assessment*," presuming that by this is meant unequal *pressure* of assessment on *estates*, and not the distribution of the assessment upon each estate among the holdings of the several co-parceners; Mr. Temple would here again observe

observe that there are all the data for the avoidance of this defect, viz., the experience of more than a quarter of a century, upon which, and the new survey, the coming assessments will be formed; so that, should his Excellency the Viceroy in Council consider that the circumstances under which a revision of the land assessments is now being made in the five above-mentioned districts are such as will admit of the removal of all defects which should bar a permanent settlement, and that, under those circumstances, further trial may be dispensed with as much in these districts as in any other, then it would only require that the defect of relative inadequacy of assessment be guarded against, by the adoption of the rule which should limit the concession of a permanent settlement to those estates of which at least three-fourths of the whole area shall be under cultivation. The conditions would then seem to be fulfilled, and the introduction of a permanent settlement proper, in conformity to the instructions of Her Majesty's Government.

7. It may be here added, that, in the event of his Excellency the Viceroy in Council now expressing his general concurrence in the views held, as above indicated, there would be ample opportunity for the exercise of due caution in carrying the measure into effect. Until each district or division of country came under assessment, and was reported upon in detail by the Settlement Officers, no steps could be taken which should in any way compromise the Government. It would then be the duty of the Chief Commissioner to make a special report to the Supreme Government for each estate *seriatim*, from which a full and final judgment might be formed of the propriety or otherwise of confirming the assessment in perpetuity. Such a report would not be for any tract or district generally, but village by village. The Officiating Chief Commissioner is not prepared to say that any district is *entirely* suited for a permanent settlement. In every one of these above-mentioned districts there will be estates not fitted; on the other hand, many individual estates will be found to be fitted, and to be fulfilling the conditions prescribed by the Secretary of State. If a permanent settlement were declared in a whole district at once, there might be a chance of error. But if it be conceded to one estate after another, according as good and sufficient cause might arise and be shown (of which the Supreme Government alone would be the final judge, after considering the representations of the Chief Commissioner), then the Officiating Chief Commissioner supposes that all reasonable precaution against error would have been adopted.

8. Further, on this point, I am to observe that the fact of a permanent settlement being conceded to one and not to another would generally act as a stimulus to agricultural improvement. The concession would be made partly on the ground of the estate having attained a high degree of prosperity. Such concession, therefore, if really valued, must incite people to attain the fulfilment of the conditions required.

9. It is not, therefore, at the present moment solicited that his Excellency the Viceroy in Council should grant any such authority as might have an immediate effect. But should his Excellency consider that Government is prepared to concede a permanent settlement in those districts where cause might be shown, the holding out of such a hope would have a beneficial effect at once in encouraging the agricultural population to deal fairly with the Settlement Officers, and to expend capital in view of prospective returns.

10. It remains to notice the three districts of "Nagpore," "Chanda," and "Wurda." In regard to these it is observed in paragraph 5 of the Secretary of State's Despatch, that, in recently acquired territories, such as Nagpore, which are still unsurveyed, no means exist for determining the adequacy of the amount or the equality of the pressure of the present demand. But I am to submit in explanation, that the Nagpore and Wurda districts have now been professionally surveyed, and are being subjected to a settlement in every way as elaborate as those made in any province. It may certainly be anticipated that all the highly cultivated and valuable portions of the Nagpore province (but not the wild and scantily-cultivated parts) will have been professionally surveyed in two more years.

11. But the circumstances of the three last-named districts, so far as concerns the present question, differ somewhat from those of the five districts

previously noticed, in this particular, that instead of our having the data of a previous 20 years' settlement administered by British officers, as in the Saugor and Nerbudda territories, we have the revenue experience of only a Native Government prior to 1854. But it will be found that, in some estates, the data are not less sound, for all practical purposes, than those available in the Saugor and Nerbudda districts. For although it is true that the Government was administered direct by the Rajah of Nagpore subsequent to 1829, yet, before that period, the administration was in the hands of British officers under the wise control of the Resident, Sir R. Jenkins, for years, during which the land revenue was, in many cases, placed on a sound and moderate basis, from which their successors did not deviate. And Sir R. Jenkins's settlements, if not based on professional survey, were yet generally based on careful field measurements. There will be estates, then, in which the demand was fixed nearly 40 years ago, and has since held good, with slight fluctuations, and with slight variation on account of extra cesses, under British rule. If such an estate has been now professionally surveyed, and a new measurement has been made, and still the assessment remains much the same; and if the estate itself have its culturable area almost entirely under cultivation; what change is to be anticipated, except such general change as might affect the whole country? And has not such an estate attained the condition required for a permanent settlement?

12. As to the degree of cultivation in Nagpore province, it is necessary to explain a peculiarity, which is this: while much, indeed, of the area consists of forests and jungle; and while, in many parts, cultivation is sadly behind the natural capabilities, and the culturable, but as yet uncultivated area is great; yet, in *other* parts, the cultivation is very fine, and has reached almost to its utmost possible limits; for instance, in the valley of the Wurda River, it is notorious that all the culturable area is cultivated. In very many estates Mr. Temple can himself attest this fact. It would be in *such* places, if anywhere, that a permanent settlement would be possible.

13. In these three districts, however, the Officiating Chief Commissioner admits that the case is not so strong as in the Saugor and Nerbudda territories; the Officiating Chief Commissioner only submits that some estates will be found that fulfil the required condition.

14. Such are the Officiating Chief Commissioner's views on a re-consideration of this important question. They have been recorded after an attentive consideration of the Secretary of State's Despatch; and Mr. Temple trusts that they may meet with the approval of his Excellency the Viceroy in Council.

(No. 7.)

From *C. U. Aitchison*, Esq., Under Secretary to the Government of India, Foreign Department, to the Secretary to the Government, North Western Provinces (No. 11), dated 13 January 1863.

I AM directed to forward to you the accompanying copy of a letter from the Secretary to the Chief Commissioner, Central Provinces, under date the 8th October last, No. 38, recommending the introduction of a permanent settlement in some of the districts under his administration, and stating that five districts in the Saugor Division have already passed through a 20 years' settlement, which expired in 1855-56.

2. Before arriving at any conclusion, favourable or the reverse, to Mr. Temple's proposal, the Governor General in Council wishes to know in what light the 20 years' assessment above referred to was regarded by the Government of the North Western Provinces, which for a long time administered the Saugor and Nerbudda territories, and which introduced the revenue survey now being pushed forward in those districts to which Mr. Temple adverts. His Excellency in Council observes that much of the force of Mr. Temple's arguments depends on the real character of the 20 years' assessment, which that officer proposes to make the basis, corrected by the revenue survey, on which to found the permanent

manent settlement. But as the records of this office do not show the stages of experience and opinion which led to the revenue survey, his Excellency in Council thinks it desirable that the Lieutenant Governor should report upon Mr. Temple's proposal.

— No. 23. —

EXTRACT Madras, Revenue Proceedings, September 1862.

(No. 463.)

ORDER, 24 September 1862 (No. 2080).

1. Resolved, that a copy of the papers above recorded be forwarded to the Board of Revenue, in reference to the correspondence noted in the margin.*

Vide Proceedings
December 1862,
No. 93; also, Jan-
uary 1863, No. 193.

2. Resolved, that a copy of the rules for the sale of waste lands in the Madras Presidency, which were submitted to the Government of India under date the 26th February last, be furnished to the Board, and that they be requested to revise these rules so as to adapt them to the modified provisions now prescribed by Her Majesty's Government, and to submit at the same time a draft notification suited to the peculiar requirements of this Presidency.

3. Resolved, that the Board be requested to submit a report showing to what extent in this Presidency arrangements have been already completed, under the Resolution of the Government of India of October last, for the purchase of waste lands or the redemption of land revenue. It is observed that all such arrangements are to be maintained, the Despatch of 9th July last not having retrospective effect.

4. Resolved, also, that the Board after communication with the Collectors of the several districts will suggest the minimum price, suited to the circumstances of the various descriptions of land which may be at the disposal of Government in those districts.

5. The Board will likewise report to what extent in this Presidency the important measure of a permanent settlement of the land revenue subject to the conditions prescribed by Her Majesty's Government, is applicable to the territories under the Madras Presidency, but this subject will demand careful and deliberate consideration, and the views of the Board upon it should not be laid before Government until they have had time fully to study the question. The submission of the reports called for in the two preceding paragraphs will not be delayed on this account.

6. In paragraph 12 of the circular transmitted with Mr. Bayley's letter of the 15th ultimo, it is stated that "as it is highly desirable that persons who wish to avail themselves of the Resolution come to by the Government to dispose of waste lands by sale in fee-simple should be enabled to carry their intentions into effect, with the least avoidable delay, and as the directions now received from Her Majesty's Government are on most points clear and specific, the Governor General in Council will not require that the detailed rules to be framed by the several Local Governments should be submitted for the sanction of the Government of India before they are acted on." Further, the Government of India in a letter, dated 20th June last, No. 297, had already permitted this Government to except the Neilgherries from the operation of the rules of the Supreme Government of October last.

7. Under

* Proceedings of Government, 4th November 1861, No. 2107.
Proceedings of Government, 25th February 1862, No. 394.
Letter to Government of India, 25th February 1862, No. 395.
Proceedings of Government, 27th February 1862, No. 433.
Proceedings of Board of Revenue, 10th April 1862, No. 2377.
Letter to Government of India, 24th May 1862, No. 1155.
Letter from Government of India, 20th June 1862, No. 3053.
Letter to Government of India, 22d July 1862, No. 1572.

7. Under these circumstances, and in anticipation of any measure that may be adopted relative to the disposal of waste lands in other parts of the Presidency, the Governor in Council resolves at once to settle the terms upon which waste lands may be obtained on the Neilgherry Hills. Many applications, it is understood, have already been made for lands on the hills, and much expectation excited, and a settlement of the question should no longer be delayed.

8. The Secretary of State in paragraph 10 of his Despatch, has directed that the lands applied for should be put up to auction at a minimum of upset price, and sold to the highest bidder. Such public sale by competition is clearly desirable to prevent jobbing. As regards the upset price, the Government resolve that until further orders it be fixed at 5 rupees per acre on wooded or shola land, and 2½ on open land.

9. The assessment to be fixed annually on future grants of land on the Neilgherries has to be considered. The rate of 1 rupee per acre, all round which has of late years obtained, is clearly too low. The Government resolve to fix 2 rupees per acre on all wooded, and 1 rupee per acre on open or grass land. This of course is distinct from and in addition to the price at which the land may be bought at auction.

10. The course to be pursued in regard to the sale of any land on the Neilgherry Hills that may be applied for, will be that specified by the Secretary of State in his Despatch, dated 9th July 1862, No. 14, paragraph 11: "If the land should be unsurveyed, the first step will be to survey it, the applicant, of course, depositing the estimated cost of that proceeding. On the completion of the survey, and at once in the case of surveyed land, the boundaries of the plot should be marked out, and an advertisement should be issued, describing the land to be sold by auction, stating the upset price, and specifying the place and date of sale. At the sale the land will be assigned to the person offering the highest price, or, in the event of no competition, to the applicant at the upset price, the cost of survey (if made) being added in both cases. The advertisements should be posted on the land itself, as well as in the neighbouring villages, and in all other usual places." The Collector will take measures to have the requisite surveys executed promptly so that no delay may occur; and he will be careful that such publicity be given to the advertisements, and such time allowed for the attendance of bidders as will ensure full and fair competition.

It is observed that a survey establishment for the Neilgherries has recently been sanctioned.

11. It is to be understood that all lots that may be applied for will not of necessity be disposed of. The Collector will exercise his discretion in regard to such lands as, in his opinion, should be retained in the hands of Government either for providing fuel, protecting streams from regard to the rights, comfort or even religious prejudices of the native inhabitants of the hills, on considerations of public convenience, health, recreation or other cause, reporting to Government in what cases he may have refused applications and for what reasons.

12. The above instructions will be in supersession of all previous orders on the subject, and will apply to all lands on the Neilgherry Hills, within or without the cantonment, and to those for which application has been already made, as well as to those which may be applied for hereafter.

13. All lands will be put up to auction bearing assessment, but it will be open to purchasers to buy the freehold at 25 years' purchase of the assessment. This redemption price will, in all cases, be in addition to the price which the land may have fetched at auction, as well as to any assessment that may have become payable on the land between the date of sale and redemption.

14. Were the fee-simple to be put up to auction originally, the upset price, which in case of timbered land would be 55 rupees per acre, would be so high as to circumscribe competition; whereas any one, who may have bought land bearing assessment, can at any time convert it into freehold by the payment of 25 years' land tax.

(signed) *T. Pycroft,*
Chief Secretary.

EXTRACT Madras Revenue Proceedings, October 1862.

(No. 165.)

LETTER from W. Hudleston, Esq., Secretary to the Board of Revenue, to the Honourable T. Pycroft, Chief Secretary to Government; dated Madras, 2 October 1862.

On Letter from Indian Government, 9 September 1862, No. 4881a.

Sir,

I AM directed by the Board of Revenue to acknowledge receipt of the Government Order, dated 27th September 1862, No. 2109, forwarding for their remarks the Draft Bill for the adjudication of claims to waste lands, &c.

In Cons., 29 September 1862, No. 6,197.

2. The Board observe on the Bill as it stands that there is no provision for the case of a claimant whose claim the Collector may reject, and against whom the Government, in the discretion left to them by Section III. may *not* think fit to order a suit to be brought to try his claim.

3. Section XIV. provides for the case of a claimant who may, for good and sufficient reason, not have brought his claim before the Collector, and allows *him* to institute a suit in the Special Court against the Collector within 12 months from the delivery of the land to the purchaser.

4. The Board are of opinion that the claimant, whose claim has been rejected by the Collector, and against whom the Government have not ordered a suit to be brought to try the claim, should be allowed a similar option of filing a suit himself, as plaintiff, against the Collector.

5. The time within which such suit should be brought might perhaps without objection be limited to six months from the date of the order of the Collector, rejecting his claim, or from the date of the Collector's report to Government that he had so rejected it, and it might also perhaps without objection be provided that no such suit should be brought "*in formâ pauperis*;" but considering that where the Special Courts are constituted, no other court will be competent to entertain any of this class of claims, and that there is no appeal from any order or decision of such court, and that the court itself cannot revise its own decisions or orders, however good ground may be shown for their so doing, it certainly appears to the Board that the claimant cannot with justice be debarred from pressing his claim on the Special Court, although both Government and the Collector may deem it inadmissible.

6. The Board will also observe that Section XVII. of the Bill, which contemplates that the waste sold shall be free from the Government demand on account of the land tax, will not work with the recent order of the Madras Government determining the conditions on which land on the Neilgherries shall be made available to the public, be the purpose what it may for which it is required.

7. It will be therefore necessary to pass an order excepting all the lands on the Neilgherries from the operation of the recently prescribed rules of the Supreme Government for the sale of waste lands, and of the law passed in furtherance of those rules.

8. Such a reservation of the entire tract to which, perhaps, most attention has been turned, would excite much and not unreasonable discontent; and in view of this consideration, and of the extremely high price at which otherwise, under the order referred to, land on the Neilgherries will have to be put up to auction, viz., 55 rupees per acre for the best land, the Board would suggest the expediency of re-considering the matter, in view to a reduction of the price at which land on the Neilgherries shall be sold free of assessment. The proposed rate will probably be found prohibitory and fatal to prudent enterprise.

9. The only further observation that occurs to the Board on the Bill as it stands is, that it contains no definition of waste land; but this omission was probably intentional, and if so it appears to the Board judicious. A general definition, that should not be open to objection in some part of India, could not easily be framed for the present purpose.

10. The Board would, however, submit that the Bill might be made far more useful by rendering it applicable not only to waste land ordered to be sold, but to all waste land with which Government may desire to deal; only providing that in the case of waste land occupied by Government for public purposes, if prior claims shall be advanced and be admitted, the compensation to be paid to the claimant shall, should he so desire, be determined by arbitration under the provisions of Act VI. of 1857.

* See Annexure.

11. Very slight additions* to the Bill would render it effective for this purpose, and the Board need scarcely enlarge on the advantage which would result from the provision of a summary process for this purpose.

ANNEXURE.

Preamble, line 6 A "or otherwise dealt with" after "sold."
 Section I. „ 3 A - - ditto - - - - ditto.
 „ 11 A "or occupation" after "sale."
 II. „ 1 A "in the case of land ordered to be sold" after "If."
 XIV. „ 5 A "or otherwise dealt with" after "sold."
 „ 9 A "or occupied on behalf of Government" after "purchaser."
 „ 12 A - - ditto - - - - ditto.
 „ 41 A "or occupied" after "sold."
 „ 43 A "or occupation took place" after "made."
 Section XV. (a) - (new section.)

"If in the case of waste land occupied on behalf of Government for public purposes, the Collector or Court be of opinion that the claim of the claimant is established, compensation shall be awarded to the claimant by payment of the value of the land according to its condition at the time it was first occupied, which value shall be either determined by the Collector or, at the option of the claimant, by arbitration, as provided in Act VI. of 1857, and the land shall be retained by Government."

ORDERED that the following Letter be despatched.

(No. 166.)

From *T. Pycroft, Esq.*, Chief Secretary to the Government of Fort St. George, to the Secretary to the Government of India, Home Department; dated 13 October 1862 (No. 2203).

Sir,

1. I AM directed by the Governor in Council to acknowledge the receipt of your letter of the 9th ultimo, forwarding for the opinion of this Government a copy of a Draft Bill "to provide for the adjudication of claims to waste lands, and for the investment of the proceeds arising from the sale of such lands, and of other Government lands, and from the redemption of land revenue."

2. In reply I have to inform you that the Draft Bill was on its receipt sent to the Board of Revenue for their remarks. In transmitting the answer just received from the Board I am desired to accompany it with the following observations.

3. Board's letter, paragraph 2. The Government do not perceive any omission or uncertainty in the case alluded to in this paragraph. They presume that if the claim be persisted in, and the Government do *not* order a suit to be brought under Section III. of the Act, their abstaining from such a course will be equivalent to an admission of the claim, and the sale of the land will be stopped.

4. The above observation will apply to the further remarks of the Board in paragraphs 3—5 of their Secretary's letter, and it will not be necessary to make further provision for the case of parties whose claims may have been rejected by the Collector, but against whom no suit has been instituted by Government. Section XIV. of the Draft the Government conceive to have been intended to meet cases where claimants, from absence, minority, or other

cause,

cause, had no opportunity of preferring their claims until after the land had been sold.

5. Board's letter, paragraphs 6—8. In reference to the view taken in these paragraphs, I am instructed to forward a copy of the orders which were issued by this Government in regard to the sale of lands on the Neilgherries on receipt of your previous letter, 15th August last, No. 4244, and under the discretion allowed to this Government in the letter from the Government of India (letter 20th June, Home Department, No. 3053). The Government consider that these rules should not be disturbed, and that the lands on the Neilgherries should be treated as exceptional. They think that the course prescribed in paragraphs 8 to 14 of the Proceedings of 24th ultimo, Revenue Department, No. 2080, is that best suited to these peculiar localities. If, however, it be indispensable that the waste lands on the Neilgherries should be sold in freehold, it is evident that the upset price of 5 rupees or $2\frac{1}{2}$ rupees per acre must be much enhanced.

6. In the concluding paragraph of their letter the Board submit that the Bill might be made far more useful by rendering it applicable not only to waste land ordered to be sold, but to all waste lands with which Government may desire to deal, only providing that in the case of waste land occupied by Government for public purposes, if prior claims shall be advanced and be admitted, the compensation to be paid to the claimant shall, should he so desire, be determined by arbitration under the provisions of Act VI. of 1857. The Government deem this suggestion to be very valuable. In the annexure to their letter the Board have noticed the slight additions to the preamble and certain sections of the Bill, which will be requisite to give it effect.

7. This Government, I am desired to state, have no further observations to make on the Draft Bill.

— No. 25. —

EXTRACT Madras Revenue Proceedings, November 1862.

(No. 362.)

MINUTE by His Excellency the President.

1. WITH reference to the Bill to provide for the adjudication of land claims, &c., but few remarks appear to me to be necessary. A doubt may exist whether it is necessary or desirable to withdraw the adjudication upon claims for land from the ordinary courts, and to place the important questions which may arise in the hands of a court of whose constitution but little is said.

2. Clause XV. says, that if a claimant, after the land has been sold, establishes his claim to it, he is not to get the land back, but only the sum for which the land was purchased and the costs of suit.

3. This may and certainly would be but a scanty redress for the injury sustained, the price paid for the land being by no means the measure of its value.

4. Clause XVI. seems to me to give the Government an undue amount of power which may be open to abuse.

5. Clause XVII. is the most important enactment in the Bill; it provides that land shall be sold in fee simple, should be subject to no *assessment* for the future.

6. To this clause I very much object. The effect will probably be either to induce jobbing in land to a very great extent, should the price be fixed too low, or to put a stop to the sale of land, should the minimum price approximate at all to the value of the land in this Presidency; but little land will be sold but such as is adapted to the cultivation of crops such as coffee and tea, the assessment upon which bears but a very small proportion to the value of the gross produce, not in fact more than one to two hundred, the average value of such gross produce being 400 rupees per acre.

7. If then a minimum price of 2½ or 5 rupees be placed on this land, it is evident that most of it would fall into the hands of speculative capitalists, who would not attempt to cultivate it, but would derive their profit from the enhanced price at which they would be able to retail the land to *bond fide* cultivators. That this would be the case we may infer from what takes place elsewhere; but we have also positive direct evidence to the same effect from what took place here on the proclamation of the Governor General's Regulations.

8. Land of this quality has been sold lately on the Neilgherries by private parties, subject to an assessment of 2 rupees per acre, for 30 rupees per acre; and were the Government to put a minimum value of 5 rupees on it, it would lose not only the difference between this amount and the market value of the land, but also the 25 years' purchase of the assessment.

9. It may be said that the sale by auction would be sure to run the price up to its full market value; but my experience of the result of the system of auction sales, of which I have had a good deal, tends to confirm the opinion that in nine cases out of ten the land would be sold at the upset price.

10. If again the minimum price be made to approximate to 25 years' purchase of the assessment, few or no persons would be found to invest money at 4 per cent. or thereabouts, for which the ordinary interest is 10 or 12.

11. I think, therefore, that it would be advisable to leave to the different Governments the power of selling the land either subject or not to the land assessment, as may seem to them, under the special circumstances of each case, to be advisable.

12. Clauses XVIII., XIX., XX. It seems to me that the local and general Government are mixed up in these clauses in an objectionable manner.

13. Clause XIX. provides for the investment of the money arising from the sale of land in public securities and for the receipt of interest upon such securities. Would it not be better to relieve the country from the payment of interest by cancelling the promissory notes when purchased?

14. Having said thus much with reference to the Bill itself, I will now deal with the rules submitted by the Revenue Board.

Rule II. places the maximum too high. In South Australia 80 acres or one-eighth of a square mile is the standard quantity; here 500 would be amply sufficient instead of 3,000.

Rule III.—If any excess of land should be found within the established boundaries, it should be paid for at the price per acre paid for the lot.

Rule V.—Price of land. *See* remarks on Bill.

Rule X.—I object to the practice of partial payment; it has been found to answer badly in Australia. Unless the whole of the purchase-money be paid, the deed should not issue, and the man should be considered merely as lessee of the land, at a rent of 10 per cent. upon the unpaid portion of the cost.

Rule XIII.—The land should be marked out by the Government and the cost paid by the purchaser before he enters upon the land.

Clause XV. to be omitted; as also

Clause XVI. ditto.

Clause XVII. altered; the man must pay the *whole* of the purchase-money, and he should pay it within *one* month.

Clause XVIII.—The upset price must be determined by Government with reference to the particular district and quality of soil, &c. It will depend of course upon the decision of the Government as to the sale with or without assessment; in fact, it would be as well to have the two prices, and to leave to the choice of the proposed purchaser whether he will pay with or without assessment.

Clause XXIII.—Omit.

(signed) W. T. Denison.

(No 364.)

From *J. D. Sim*, Esq., Secretary to the Government of Fort Saint George, to the Secretary to the Government of India, Home Department; dated 29 November 1862 (No. 2509).

Sir,

1. IN continuation of the letter marginally noted, on the subject of the Draft Bill for the "Adjudication of claims to waste land, and for the investment of the proceeds arising from the sale of waste lands and of other Government lands, and from the redemption of land revenue," I am directed to request the particular attention of the Supreme Government to Section XII. of the Bill. 13 October 1862,
No. 2203.

2. By this section the decisions and orders of the Special Courts are final, and not even open to revision.

3. Where the question at issue is merely one of fact, this provision is unobjectionable, but in several parts of this Presidency the operation of the new law will raise questions involving important rights of the Government and of individuals. For instance, in the Madras District the merassidars claim all waste land. The Government have consistently denied this claim and have for years exercised the right of proprietorship over such land, have used it for public purposes, and granted it to private individuals.

4. The merassy question, however, is one that has long engaged general attention, and on which opinions differ greatly. It might so happen that the majority of the Special Court already held views adverse to the rights of Government, and the important questions might be finally decided without that full and unbiassed consideration which the extensive and important interests at stake render absolutely necessary. An adverse decision would involve serious consequences to Government and also to private individuals, who on the faith of the title given by Government, have built upon and otherwise improved lands which would by such a decision be declared to belong to the merassidars. It may also happen that conflicting decisions may be given by different Special Courts and much embarrassment will ensue if the decrees on such questions are not open even to revision.

5. For these reasons this Government would earnestly recommend that Section XII. should be modified so as to admit of an appeal to the high court when the question at issue involves a general principle of importance, such as the tenure of land and the rights of the State in waste.

6. Advantage is taken of the present opportunity to forward the accompanying extract from a Minute recorded by his Excellency the Governor, who was absent on a tour when the Draft Bill for the adjudication of claims to waste land came under the consideration of this Government.

— No. 26. —

EXTRACT Madras Revenue Proceedings, December 1862.

(No. 93.)

LETTER from *W. Hudleston*, Esq., Secretary to the Board of Revenue, to Honourable *T. Pycroft*, Chief Secretary to Government; dated Madras, 14 October 1862 (No. 6882 B).

Sir,

1. WITH reference to para. 2 of the Government Order, dated 24th September 1862 (No. 2080), Revenue Department, I am directed by the Board of Revenue to submit the accompanying Draft Rules for the sale of waste land in this Presidency, which appear to them to contain all that is necessary for the information of the public, and the publication of which will in their opinion answer all purposes without any further notification, save a short heading to state that, under the sanction of the Supreme Government, they are prescribed by the

In Cons., 25 September 1862,
No. 6147.

Local Government for the guidance of all public officers and intending applicants.

2. In the Draft Rules submitted by this Government to the Government of India, under date 25th February last, and which were communicated to the Board as the groundwork of those to be now published, and many provisions with which the public has little concern, and on these the Board would propose that separate instructions be issued to the Collectors.

3. The points in question relate mainly to the registration of reserved tracts, to the registry of grants and transfers of grants, and to the procedure in regard to rejected claims to land sought for purchase. The Draft Bill on the subject provides for this last matter, but it will be well to notice it to the district officers in anticipation of the enactment.

4. The draft which the Board now submit is mainly based on the published Rules of the Bengal Government, and the Board would request attention to the terms of para. 23, regarding registered applications under the Resolution of October 1861, which they have retained unaltered, but which is not consistent with the recent decision of Government in the case of the Messrs. Burgess in Ganjam. The Board would submit for the consideration of Government the expediency of one uniform course being adopted in this matter in all the Presidencies alike, to remove ground for dissatisfaction. The Board would also point out that these general Rules cannot be applied to the Neilgherries, if the recent orders of Government regarding land there situated be maintained. The provisions for realising all Government dues connected with this system of sale of waste land, by the summary process provided for the realisation of arrears of Land Revenue, will need to be supported, if approved, by a short Act of the Legislature, or the necessary powers might, if thought proper, be included in the Draft Bill for the adjudication of claims to waste, and for the investment of the sale proceeds.

(No. 94.)

ORDER thereon, 6 December 1862 (No. 2553).

1. WITH this letter the Board of Revenue submit a draft of Rules for the sale of unassessed waste land in this Presidency. The Board, in their draft, follow very closely the Rules published for Bengal, and explain that such instructions as may be necessary for the guidance of the officers of Government in matters of routine, will be separately issued.

2. The Governor in Council has carefully perused the Board's draft, and considers that in several respects it may be improved, while in some it is opposed to the views of Government. A fresh draft has therefore been prepared, and is appended to these orders.

3. For the guidance of the Board in the application of the Rules, the Government will briefly notice such of them as need special remark.

4. Rule III.—The Government consider the proposed maximum of 3,000 acres far too large in this Presidency. The object of having a maximum is to secure the interests of the State, and to prevent the monopoly of land to the injury of the public. It is obvious, that if land is put up in blocks of 3,000 acres, the competition at the auction sales will be limited. Persons of moderate means will be debarred from bidding, and in self-defence the Government must fix a higher minimum price than would otherwise be necessary. The Government consider that the proper course is to prescribe a reasonable limit to the size of lots, but to allow intending purchasers to apply for as many lots, each not beyond that limit, as they please. The Government also consider that a lower maximum should be fixed for building lots in towns than for lots required elsewhere for agricultural purposes. The Government accordingly fix on 500 acres as the maximum for agricultural, and 10 acres as the maximum for town allotments.

5. Rule VIII.—The "excess" here mentioned means some material extent beyond the maximum limit. The Collectors will be allowed some discretion in

in this matter, taking care that Rule III. is not purposely or practically evaded.

6. The upset price cannot be entered in this Rule, or indeed fixed, until the Board furnish the information called for in paragraph 4 of G. O. 24th September 1862, No. 2080. The instructions of the Secretary of State on this subject are explicit. The local Government, "after communication with the chief local authorities," are to fix "a minimum price *suited to the circumstances of the various descriptions of land* which they may find to be at their disposal in each district of their Presidency."

7. Rule XIII.—The Government think the simplest plan of arranging for the payment of the expenses of survey and demarcation by the actual purchaser will be to include them in the upset auction price. If the original applicant prove to be the purchaser, he will get credit for whatever sum he may have paid, otherwise it will be repaid to him at once out of the purchase-money.

8. Rule XV.—The Government think that the proposal to allow credit for 10 years is unreasonable, and by giving facilities to persons without capital to take up land, on the speculation of its rising in demand and value at some future time, would prove prejudicial. The Government consider that three years' credit with interest at 6 per cent. (instead of 10 per cent. as entered in the Board's Rule) is extremely liberal. The Deeds (A.) and (B.) in this Rule, and (C.) in Rule 17, must be carefully drawn up, and be as brief and simple as is compatible with legal validity. The deed (B.) should effectually provide for the ejectment of the conditional occupant, for the recovery of the dues of the State, and the re-sale of the land without the tedious remedy of a civil suit.

9. Rule XVII.—The rate of interest in the Board's Rule XX. is 5 per cent.; but 4 per cent. is that fixed by the Secretary of State. The latter rate has consequently been adopted by Government.

10. Rule XIX.—The Government do not see the necessity of the following words, which occur in the Board's Rule IX., "and to every other claim, whether of the Government or other that may have been or may hereafter be established in any court of competent jurisdiction." The sale of lands under the new Rules does not remove them from the jurisdiction of the courts, and a general reservation of this kind seems superfluous.

11. Rule XX.—The reservations in this Rule are necessary for the protection of the interests of Government and the public.

12. Rule XXI.—The object of the new Rules is to enable persons who wish to buy unassessed waste land, to do so, and not to debar Government from granting such lands to those who desire them, on other terms, otherwise all land now unassessed and waste will be locked up until purchasers are forthcoming. The Government have made their Rule fuller than the corresponding one of the Board (24), in order that there may be no doubt on this point. The Government do not see any reason for excepting town allotments from these Rules. With a maximum as to their size, and the competition which may be reckoned upon for such lots, the interests of Government and the public will not be endangered.

13. The Government have omitted the following Rules of the Board:—

(1.) Rule XVI.—The provisions of this Rule can only be entered in the deed given to the purchaser. The ryotwary law is applicable only to lands held on ryotwary tenure, and is limited to the Madras Presidency. The Waste Lands Act, on the other hand, will apply to all India, and a special provision for the realization of the dues of the State in the Madras Presidency could not appropriately find a place in that enactment. The purchaser must, before obtaining possession, execute an agreement drawn up in legal form that he will pay his dues, and that in default Government may re-enter and re-sell at his risk and loss.

(2.) Rule XVIII.—No prices can yet be fixed, and the other portions of the Rule may be entered in the instructions to Collectors.

(3.) Rule XIX.—With a previous survey and demarcation the necessity of this Rule is not apparent. Such mistakes as the Rule provides against can only occur through great and culpable negligence.

(4.) Rule XXI.—This Rule would more appropriately appear in the Collector's instructions.

(5.) Rule XXIII.—The Government have already decided this point in the negative.

14. The Board will lose no time in placing themselves in communication with the Government Law Officers, and having the forms of sale advertisement and deeds prepared, so that they may be published along with the Rules, for general information. The Rules can meanwhile be circulated to the Collectors.

15. The Board will also call upon the Collectors to submit without delay the upset prices they would propose in their respective districts, with their reasons for the same. These prices can be separately published in the Fort St. George and District Gazettes, but it is of great importance that they should be fixed without further unnecessary loss of time.

(signed) *J. D. Sim,*
Secretary to Government.

RULES for the Sale of Unassessed Waste Land in the Madras Presidency.

• Rule 18.

1. UNASSESSED waste lands in which no rights of private proprietorship or exclusive occupancy exist, and which may not be reserved as hereinafter provided,* may until further notice be sold under the following Rules:—

2. Applications for land under these rules shall be addressed to the Collector of the District in which the lands are situated, and shall comprise the following particulars:—

(a.) The estimated area of the land applied for.

(b.) The situation of the land and its boundaries as accurately as can be ascertained.

3. No lot shall exceed 500 acres, unless specially ordered by Government. Within towns, villages, hill stations, railway stations, and sanitaría, the maximum extent of a lot shall be 10 acres.

But any person may apply for several contiguous lots, each not exceeding the above limits.

4. Every lot shall be compact, and shall include no more than one tract of land capable of being surrounded by a ring fence, and when the land touches a public road, navigable river, canal, backwater, railway or tramway, the length of the road or river frontage shall not exceed one half of the depth of the lot.

5. No lot shall be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated.

6. If on receipt of an application under Rule 2, the Collector has reason to believe that the land applied for is saleable under these rules, he shall call upon the applicant to deposit with him the estimated cost of surveying the land and of marking it out with durable boundary marks, unless the land is already surveyed and demarcated. The Collector will refund to the depositor any portion of his deposit which may not be actually expended in the survey and demarcation, and similarly the depositor shall pay any deficiency.

7. If the applicant fails to deposit the sum required under Rule 6, within six weeks, his application shall be considered to be withdrawn.

8. On receipt of the deposit required under Rule 6, the Collector shall as soon as possible cause the land applied for to be surveyed and marked out, and shall exclude from the lot all excess which may be found on survey beyond the limits prescribed in Rule 3, and shall advertise the lot for sale on a given day (to be fixed so as to admit of the notice required in Rule 9 being given) at the minimum price prescribed for the locality, or for the peculiar descriptions of land selected, as the case may be, together with the actual cost of survey and demarcation.

9. The advertisement shall be in English and in the vernacular of the district, and shall specify the extent and boundaries of the lot, the upset price, and the place and time of sale. It shall be posted for 30 clear days on the land itself as well as in the neighbouring villages, in the offices of the Collector and Tahsildar of the Talook, the Moonsiff's Court (if there be one), and the nearest police office. It shall also be inserted in the District Gazette.

Gazette. The Collector shall at his discretion fix the time and place of sale, and may alter both if necessary, provided always that due notice be publicly given of such change.

10. The Collector shall send written notice of the place and time of sale to the applicant, but no sale shall be disturbed in consequence of the non-receipt of such notice, or delayed in consequence of the non-appearance of the applicant.

11. An applicant withdrawing his application prior to the sale of the land will be entitled only to the refund of so much of his deposit under Rule 6, as may not have been expended. If after survey at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expense of surveying them as well as of surveying any excess beyond the limits prescribed in Rule 3.

12. On the withdrawal of an application it shall be discretionary with the Collector to proceed with the sale of the land or not, as he considers best for the public interests.

13. The upset price shall in all cases include the cost of survey and demarcation. If the original applicant be the purchaser, he shall receive credit for his deposit or payment, otherwise the amount shall be paid to him at once from the sale proceeds.

14. If before the time of sale no claim of private proprietorship or exclusive occupancy be preferred to the land, the lot shall be put up to auction and sold to the highest bidder above the upset price, or to the applicant at the upset price, if there be no higher bid.

15. The successful bidder shall, immediately on the sale being declared, pay down 10 per cent. of the price, failing which, the lot shall be forthwith resold at his risk and expense. The balance of the purchase-money may, at the option of the purchaser, be paid in full within 30 days (in which case, on payment, a deed in the form A. annexed to these rules will be furnished to him and possession given), or in three yearly instalments of equal amount, bearing interest from the day of sale at the rate of 6 per cent. per annum. In the latter case the land will remain hypothecated to Government as security for the punctual discharge of the unpaid principal and interest as they fall due, and on default of any such payment, will be resold at the expense and risk of the defaulter. When the purchaser elects to pay the purchase-money by instalments, he shall not receive possession until he has duly executed the deed marked B. annexed to these rules.

16. If before the time of sale, a claim of private proprietorship or exclusive occupancy, or of any other right incompatible with the sale of the land under these rules, shall be preferred to the land or any part of it, the Collector shall proceed in accordance with the provisions of Act* of 1862. The sale of the land shall meanwhile be postponed, and shall ultimately depend on the issue of the proceedings held under the said Act.

* The Waste Lands Act now before the Council of the Governor General.

17. Grants of unassessed waste land already made for terms of years under previous rules, and in which no right of occupancy or proprietorship exists, except that of the grantees or such as may be derived from them, may, at the option of the grantees or their representatives, be brought within the operation of these rules, and the grantees or their representatives may redeem the future land revenue of such grants or of any compact part of them in perpetuity for an amount equal to the present value of all future stipulated annual payments, calculated at 4 per cent. interest, provided the said amount is not less than the prescribed minimum for the locality or the description of land included in the grant. If the amount, as above calculated, be less than the prescribed minimum, the latter shall be the redemption price. On payment of the said price, the proprietor shall receive a deed in the form C. annexed to these rules.

18. Reserves of grazing and forest land, of land for the growth of firewood, for building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government. A register of such reserves will be maintained in the Collector's office, and will be open to inspection by intending applicants at such times and under such rules as the Collector may prescribe by notification in the district Gazette.

19. Lands sold or redeemed under these rules shall be for ever free from all demand on the part of the State on account of land revenue, but shall nevertheless continue subject to all general taxes and local rates imposed by law.

20. The existing and customary rights of Government, of other proprietors, and of the public in existing roads, and paths, and in streams running through or bounding lands sold under these rules are reserved and in no way affected by their sale or by these rules.

21. Nothing contained in these rules shall be held to debar the Government from granting unassessed waste lands on Puttah, Cowle or otherwise, at their discretion, as heretofore.

22. It shall be competent to the Government to except the whole or any part of any district from the operation of these rules.

(No. 95.)

1. ORDERED that the above letter be submitted for the Orders of Government with reference to their proceedings dated 24th September 1862, Revenue Department, No. 2080, and in continuation of the Board's letter dated 14th October 1862, No. —, submitting the draft of rules for the sale of waste land.

2. Mr. Grant's proposed rules are in some respects imperfect, and in others opposed to the Board's draft; while the system proposed by Government for the Neilgherries is so different from that to be introduced elsewhere, that if it is to be maintained, further instructions are necessary on some minor details, among which may specially be mentioned the mode in which payment is to be made for the land.

3. As regards the limit to be prescribed on the Neilgherries for the size of the lots, the Board consider Mr. Grant's proposal of 500 acres for a farm or plantation allotment, and 15 acres for a building site in the cantonment, to be suitable and reasonable.

4. They understand that in the Wainád 300 acres are the extent which is preferred for a single coffee plantation, as manageable without difficulty, while a larger extent would, as a rule, include an undue proportion of unsuitable land.

5. The Board presume that whatever rules are determined on for the Neilgherry plateau will apply equally to the slopes towards the lower country; and here, again, they would point how great will be the inequality between occupiers on these hills under the Government rules, and settlers in the close neighbourhood, in the Wainád and in Coorg, on the far more advantageous terms contemplated by the Secretary of State's Despatch and the Resolution of the Supreme Government.

(signed) *W. Hudleston*,
Secretary.

(No. 96.)

OFFICIAL MEMORANDUM from *W. Hudleston*, Esq., Secretary to the Board of Revenue, to the Honourable *T. Pycroft*, Chief Secretary to Government; dated Madras, 27 October 1862 (No. 821).

1. IN reply to the Chief Secretary's Memorandum dated 24th October 1862, the Secretary Revenue Board has the honour to state that the inequality to which the Board referred, in the position of intending settlers on the Neilgherries, under the conditions proposed by Government in their Order dated 24th September 1862, No. 2080, Revenue Department, paragraphs 8 to 14, inclusive, and of intending settlers in the Wainád and Coorg, under the terms of the Governor General's Resolution and the Despatch of the Secretary of State, is in the amount which they will be required to pay for the land to obtain it free of assessment, and to the resulting disadvantage to the Neilgherry settler of an annual payment should he not be able to redeem the land tax on the terms proposed.

2. The price originally proposed by the Governor General for land unencumbered with jungle was 5 rupees per acre, and for forest land *Rs.* 2. 8. per acre.

3. The objection of the Secretary of State to this part of the Resolution was based on the unfitness of such a rate for all lands, without reference to their relative advantages; and he directed that a minimum price should be fixed in communication with the local authorities for the various descriptions of soil, and that the land should be sold at auction at this upset price.

4. In the rules subsequently published for the Bengal Presidency, *Rs.* 2. 8. per acre is adopted as the minimum upset price, and 10 rupees per acre as the maximum. This will include all the Darjeeling and Assam lands suited for tea cultivation.

5. In the published rules for the North Western Provinces, issued since the receipt of the Secretary of State's Despatch, the upset price is fixed "at five rupees" per acre for *cultivated*, and Rs. 2. 8. for *uncultivated* land, unless for some special reason (such as proximity to a station, valuable timber being on the land, &c.) that rate be held to be inadequate, in which case the Collector is to report to the Revenue Board what upset price he thinks proper for their confirmation, and the land will be sold free of assessment to the land revenue. These terms will apply to all the lands in the Dehra Doon and on the hill ranges not in the immediate vicinity of the stations of Simla, Mussoorie, Almora, &c.

6. The upset price proposed by this Government for the whole of the waste lands on the Neilgherries within or without the cantonment is 55 rupees per acre for jungle land and 27½ rupees per acre for open grass land, which rates appear to the Board almost prohibitive, and certainly as contrasting most unfavourably with the terms under the other Governments above mentioned. It is most probable that one or other of those schemes will be applied to lands in Coorg, and the Board did not contemplate that more restrictive terms could be intended for the Wainád.

(By Order)

(signed) *W. Hudleston,*
Secretary.

(No. 97.)

ORDER thereon, 6 December 1862 (No. 2554).

1. WITH the first of the above letters the Board of Revenue submitted the draft of a notification prepared by the Collector of Coimbatore regarding the sale of lands on the Neilgherry Hills, on the terms laid down in G. O, 24th September last, No. 2080. The Board, in submitting the draft, drew attention to the great "inequality between occupiers on these hills under the Government rules and settlers in the close neighbourhood in the Wainád and Coorg, on the far more advantageous terms contemplated by the Secretary of State's Despatch and the Resolution of the Supreme Government." The second paper above recorded contains a fuller statement of the inequality referred to.

2. The Governor in Council observes that the Neilgherry Hills cannot be termed "unassessed waste." So far back as 1850 the Government prescribed, with the approval of the Home Governments, the conditions on which land on the Neilgherries would be granted to Europeans for agricultural purposes. Under these rules the fee-simple property in the land was in no case to be disposed of; the utmost that could, except in special cases, be granted was a lease for 33 years for agricultural and 99 years for building purposes; and all land was put up to auction at an upset price of from eight to ten years' assessment, subject to the yearly assessment.

3. In 1859 these rules were revised. Land required for agricultural purposes was to be put up to auction without any upset price, but subject to an annual assessment of one rupee per acre, redeemable at 20 years' purchase. Building lots in the stations were to be put up to auction at an upset price of 20 rupees per acre on freehold tenure.

4. Practically, therefore, the hills have been and are "assessed;" and the Board will find, in paragraph 20 of the last Despatch from the Secretary of State, that the Supreme Government have themselves described the Neilgherries, Shervaroys, and Wainád as "lands which, *being assessed* at one rupee per acre, will not be purchaseable for less than 20 rupees per acre." It is obvious that land is not the less "assessed" because the Government have prescribed a uniform rate on the principle of an average, instead of, as usual, rates varying with the quality of the soil.

5. Under these circumstances, the Board will perceive that their arguments are inapplicable, and that lands on the hills cannot in fact be sold in the manner they contemplate without actually infringing the Resolution of the Supreme Government.

6. There can be no doubt that the assessment fixed in G. O., 24th

Note.—The Government maintain the following Establishments on the hills:
 At Ootacamund:
 A subordinate court.
 A magisterial office presided over by an European officer.
 Two medical officers.
 A chaplain.
 A tahsildár with Treasury.
 Police force.
 Post office.
 Telegraph office.
 An executive engineer.

September last is extremely light, and taking into consideration the natural advantages of climate, soil, and proximity to the coast which the hills possess, and the expenses which the State has incurred and must continue to incur in the general administration of the tract, the Government can see no reason for sacrificing on such easy terms, as the Board seem to contemplate, a revenue which is paid with ease, and for which the settler receives such solid benefits.

7. On a careful reconsideration of the Order of September, the Governor in Council resolves to abandon the upset price therein ordered, as it may reasonably be assumed that competition at the auctions will bring in whatever the land may be worth over and

above the annual assessment. All land applied for, if not reserved for public reasons, will be put up to auction without any upset price, but subject to an annual assessment of two rupees per acre for "shola," or wooded, and one-rupee per acre for "grass," or open land. The maximum size of each lot will be 500 acres for agricultural and 10 acres for building purposes; but an applicant may apply for several contiguous lots, each not exceeding the above area.

8. The purchaser of any lot may at any time redeem the assessment on it at 25 years' purchase, as ordered by the Secretary of State.

9. The Collector's draft rules have been modified to suit the above decision. The Board will ascertain from the Government pleader whether the form of deed is sufficient for the objects in view, and will furnish the Collector with a form of sale advertisement and redemption deed.

(signed) *J. D. Sim,*
 Secretary to Government.

RULES for the Sale of Government Lands on the Neilgherry Hills.

1. UNOCCUPIED land, the property of Government, and not reserved as hereinafter provided, will, until further notice, be sold under the following rules:—

2. Applications for land under these rules shall be addressed to the Collector, and shall comprise the following particulars:—

(a) The estimated area of the land applied for.

(b) The situation of the land and its boundaries, as accurately as can be ascertained.

3. Within the limits of the stations no lot shall exceed 10 acres, and beyond those limits the maximum shall be 500 acres. But any person may apply for several contiguous lots, each not exceeding the above areas.

4. Every lot shall be compact, and shall include no more than one tract of land capable of being surrounded by a ring fence; and when the land touches a public road, the length of the road frontage shall not exceed one-half of the depth of the lot.

5. No lot shall be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated.

6. If on receipt of an application under Rule 2 the Collector has reason to believe that the land applied for is saleable under these rules, he shall call upon the applicant to deposit with him the estimated cost of surveying the land and of marking it out with durable boundary-marks, unless the land is already surveyed and demarcated. The Collector will refund to the depositor any portion of his deposit which may not be actually expended in the survey and demarcation, and similarly the depositor shall pay any deficiency.

7. If the applicant fails to deposit the sum required under Rule 6 within six weeks, his application shall be considered to be withdrawn.

8. On receipt of the deposit required under Rule 6, the Collector shall as soon as possible cause the land applied for to be surveyed and marked out, and shall exclude from the lot all excess which may be found on survey beyond the limits prescribed in Rule 3, and shall advertise the lot for sale on a given day to be fixed so as to admit of the notice required in Rule 9 being given.

9. The advertisement shall be in English and Tamil, and shall specify the extent and boundaries of the lot, the aggregate annual assessment, and the place and time of sale. It shall be posted for 30 clear days on the land itself, as well as in the neighbouring villages, in the offices of the Collector and Tahsildár, and the nearest police office. It shall also be inserted in the district Gazette. The Collector shall at his discretion fix the time and place of sale, and may alter both if necessary, provided always that due notice be publicly given of such change.

10. The Collector shall send written notice of the place and time of sale to the applicant; but no sale shall be disturbed in consequence of the non-receipt of such notice, or delayed in consequence of the non-appearance of the applicant.

11. An

11. An applicant withdrawing his application prior to the sale of the land will be entitled only to the refund of so much of his deposit, under Rule 6, as may not have been expended. If, after survey at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expense of surveying them, as well as of surveying any excess beyond the limits prescribed in Rule 3.

12. On the withdrawal of an application it shall be discretionary with the Collector to proceed with the sale of the land or not, as he considers best for the public interests.

13. If before the time of sale no claim of proprietorship or exclusive occupancy be preferred, the land shall be sold to the highest bidder, without any upset price, but subject to an annual assessment in perpetuity of two rupees for each acre of "shola" or wooded land, and one rupee for each acre of "grass" or open land.

14. The successful bidder shall, immediately on the sale being declared, pay 10 per cent. of the purchase-money, and (unless he have already deposited or paid it) the actual expense of the survey and demarcation, failing which the lot will be immediately resold at his risk and expense. The purchaser may, at his option, pay the balance of the purchase-money within 30 days, in which case a deed in the form (A.) annexed to these rules will be furnished to him, and possession given; or in three yearly instalments of equal amount, bearing interest from the day of sale at the rate of 6 per cent. per annum. In the latter case the land will remain hypothecated to Government, as security for the punctual discharge of the unpaid principal and interest as they fall due, and on default of any such payment will be resold at the expense and risk of the defaulter. When the purchaser elects to pay the purchase money by instalments, he shall not receive possession until he has duly executed the deed marked (B.) annexed to these rules.

15. If before the time of sale a claim of private proprietorship or exclusive occupancy, or of any other right incompatible with the sale of the land under these rules, shall be preferred to the land, or any part of it, the Collector shall proceed in accordance with the provisions of Act* of 1862. The sale of the land shall meanwhile be postponed, and shall ultimately depend on the issue of the proceedings held under the said Act.

16. Reserves of grazing and forest land, of land for the growth of firewood, for building sites, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government. A register of such reserves will be maintained in the Collector's office, and will be open to inspection by intending applicants at such times and under such rules as the Collector may prescribe by notification in the district Gazette.

17. It shall be competent to any purchaser of land to redeem the annual assessment at any time, by paying up a sum equal to 25 years' purchase of the said assessment, and the land so redeemed shall thenceforth be free of all land tax payable to the State, but not of municipal, general, or local taxes which are now or may hereafter be leviable. On payment of the redemption money the proprietor will be furnished with a deed in the form (C.) annexed to these rules.

18. Arrears of assessment shall be recoverable in the same manner as arrears of Ryotwary land revenue are, or may be recoverable by law.

* The Waste Lands Act now before the Council of the Governor General.

FORM OF TITLE DEED (A).

Know all men by these presents, that the Governor in Council of Madras has sold to his Heirs, Executors, Administrators and Assigns for the sum of rupees day received by me the tract of land measuring British Statute Acres situate in to be holden by him in full proprietary right, subject to the following conditions:—

I. The aforesaid lands are subject to an annual payment to the Collector for the time being of rupees payable on or before the 30th June of each year for the twelve months preceding.

II. Arrears of Assessment shall be treated in the same manner as arrears of Ryotwary land revenue, and be subject to the same mode of realisation.

III. The proprietor is to maintain the boundary-marks round his grant in good repair.

IV. This grant conveys the plenary right to all products both above the surface and below the same.

V. The existing and customary rights of Government, of other proprietors, and of the public, in existing roads and paths, and in streams running through or bounding the said lands are reserved and in no way affected by this sale.

VI. The lands included in this deed are shown in the subjoined table:—

Number of Grant.	Tāluq and Villages.	Boundaries of Grant.	Area in Acres.

VII. The proprietor shall be at liberty at any time to redeem the annual assessment of the said land by payment of rupees, and after such payment the said land shall be free for ever from all demand for land revenue.

VIII. The liability of the lands herein specified to municipal, general, or local taxes is not affected by this grant.

— No. 27. —

EXTRACT Madras Revenue Consultation, January 1863.

(No. 193.)

From *W. Hudleston*, Esq., Secretary to the Board of Revenue, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department; dated Madras, 22 December 1862 (No.—)

Sir,

1. IN continuation of the correspondence* noted in the margin, regarding

* To Government, 2 December 1860, No. 7888.

Proceedings ditto 14 October 1862, No. 6882 A.

Ditto 3 December 1862, No. 7901.

† No. 6991, from Vizagapatam, 25 October in Cons. 3 November 1862.

„ 7807 „ Cuddapah, 5th in Cons. 9 December 1862.

„ 6894 „ Kurnool, 23d in Cons. 29 October 1862.

„ 7378 „ Kurnool, 14th in Cons. 19 November 1862.

„ 7678 „ Kurnool, 3d in Cons. 3 December 1862.

„ 7381 „ North Arcot, 17th in Cons. 19 November 1862.

„ 6932 „ Trichinopoly, 28th in Cons. 30 October 1862.

„ 6997 „ Salem, 30 October in Cons. 3 November 1862.

application for waste in Ganjam, Coimbatore and Malabar, I have the honour to submit the replies noted in the margin† to that portion of the Government Order dated 24 September 1862, No. 2080, in which information was required as to the extent to which arrangements for the sale of waste lands

had been completed, and the proposed minimum price per acre free of assessment.

2. The following Abstract exhibits the information in brief:—

Districts.	Extent to which Arrangements for the Sale of Waste Lands have been made.	Proposed Minimum Price per Acre.	Average Rates of Assessment on Land in the Districts as obtained from Board's Records.		
Vizagapatam -	No further arrangements than registering applications for 428 acres of land.	5 rupees per acre for uncleared land, and 15 rupees per acre for cleared land.	Not ascertainable in the Board's Office.		
Cuddapah -	No arrangements made - -	5 rupees for unassessed waste, whether cleared land or brushwood.	Nunjah rates per acre -	Rs. a. p.	10 8 0
			Punjah rates per acre -		2 13 0
			Totacal rate per acres -		9 9 0
Kurnool -	Applications for 4,100 acres have been registered, of which that for 3,000 acres will probably prove to be inadmissible.	Mr. Banbury, as Acting Collector, proposed 20 rupees per acre for black cotton soil, 10 rupees for sandy clay, and 5 rupees for red ferruginous, a deduction of 25 per cent. to be made from the minimum upset price for lands covered with trees or low jungle. Mr. Minchin, the Collector, to whom reference was made, would reduce the rates 50 per cent. on jungle lands, and 25 per cent. on land clear of trees, if the object be to encourage large sales; and considers that land on the Nulla Malla Hills should be sold at a minimum price of 2½ rupees per acre.	Not ascertainable in the Board's Office.		
North Arcot -	Nothing has been done for the purchase of waste lands.	In Palmanair and the western part of Gudiatum and Chittoor Talooks, 3 rupees per acre for cleared land, and 1 rupee per acre for jungle lands. In the rest of the district 5 rupees per acre for lands free of forest, and capable of irrigation by construction of new works; 3 rupees for other cleared lands, and 2 rupees for lands overgrown with jungle.	Average Nunjah rate per Cawny in the northern Talooks, and portion of the southern Talooks -		5 6 0
			Average Nunjah rate per Cawny in the southern Talooks, being the consolidated teerwah -		6 12 0
			Punjah rates per Cawny northern and southern Talooks - - - -		1 15 0
Trichinopoly -	Has not received applications for purchase of waste lands or redemption of the Land Revenue.	10 rupees an acre for the land at the base of the Pachamalai Hills, the only unassessed waste in the district.	Dry - - - - -		1 4 11
			Wet - - - - -		5 2 8
Salem -	No arrangements have been made.	8 rupees an acre for superior jungle land, 4 rupees for common grass land, and 2½ for land in the low country.	Dry - - - - -		1 4 6
			Wet - - - - -		6 10 9
			Garden - - - - -		4 0 3

(signed) *W. Hudleston*, Secretary.

(No. 194).

ORDER thereon, 15 January 1863, No. 100.

THE Government await the Board's recommendation as to the prices to be fixed for each district for unassessed waste sold on freehold tenure.

(signed) *J. D. Sim,*
Secretary to Government.

(No. 237.)

From *B. Cunliffe*, Esq., Collector of Madras, to *W. Hudleston*, Esq., Secretary to the Board of Revenue; dated Sydapet, 18 December 1862 (No. 446).

Sir,

1. THE receipt of the Board's Circular, Standing, No. 8115, reminds me that I have not replied to the Board's Circulars of the 26th September and 17th October last.

2. In my letter of the 10th October, No. 347, I stated that all the lands, save the Poramboke of this district, with the exception of that portion of the late Sattivedu talook received from North Arcot, had been assessed at the survey.

3. I wished to give a rough calculation of the poramboke, which might be brought under cultivation, but to do this, was obliged to make a reference to the talooks, as we had no data at the Hoozoor.

4. Though the replies were not complete, I must no longer delay to inform the Board of the estimates which have been received.

5. It is supposed that in the talooks of Tiruvallur and Conjeveram there are 4,800 cawnies of cultivable poramboke. Of the remaining four talooks, we have received accounts for 897 villages, leaving 276 villages unreported upon.

6. In the former, it is calculated there are about 5,000 cawnies of poramboke which may be brought under the plough, and that in the tract lately received from the Sattivedu talook, there are 6,500 cawnies of poramboke, covered with jungle, and which are not likely to be called upon by the farmer.

7. For the most part, the poramboke will be found in small patches here and there, and blocks of 40 or 50 cawnies will, I think, be of rare occurrence, except when overgrown with jungle, covered with stones, and in unfrequented spots.

8. Some portion, though a small one, may be converted into nunjah by taking advantage of a jungle stream, or of a channel constructed since the survey, or by forming a tank; but if the land can be brought under the influence of an existing work of irrigation, it should be sold with the proviso that the occupied ayacut should be first supplied with water, before it is diverted to newly-purchased rent-free lands. If otherwise, constant disputes will occur, and the old cultivation be endangered; for the main cause of Puttah Banjer is the short supply from the tank.

9. The minimum price may be for punjah 20 and for nunjah 40 rupees.

10. I do not consider that any anticipation survey is necessary. As applications are received, they can be easily planned.

11. Cultivable lands of every description in this district have hitherto been considered the property of the mirassidars, and I have no doubt that the first sale of land by the Government without the consent of the former will be contested by them in the civil courts.

From *V. H. Levinge*, Esq., Collector of Madura, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Madras; dated Madura, 22 December 1862 (No. 276).

Sir,

1. WITH reference to the Board's Circular, Standing, No. 8115, dated the 13th December, and to the Board's Circular, Miscellaneous, No. 6507, dated 26th September 1862, I have the honour to report that, having consulted the old Revenue Officers of the district regarding the sale of waste lands, I find that they are of opinion, in which I agree, that no difference, as regards waste lands in the plains should be made in the price whether encumbered or unencumbered with jungle, the opinion being that the expense of clearing the land would be covered by the sale of the jungle wood for fuel, &c.

2. The upset price of all waste in the plains, and up to the foot of the hills, should be $3\frac{1}{2}$ rupees per acre; it is considered all land will bear that price, and that if there are different rates for different descriptions of soil, such will afford an opening for fraud.

3. Hill tracts may be divided into four classes :

1st. Sides of hills which are rocky, covered with coarse grass, scattered trees or stunted thorn bushes, the upset price of such should be 1 rupee per acre.

2d. Slopes and sides of hills having heavy jungle on them, consisting of valuable timber and rich soil, the upset price to be 10 rupees per acre.

3d. Open grass lands on the tops of the hills, the Palany for instance, $2\frac{1}{2}$ rupees per acre.

4th. Forest lands or Sholas on the Palanies, 5 rupees per acre.

4. I put a low value on the lands on the Palany Hills, for the Travancore Government, whose valuable coffee tracts adjoin them, offer easier terms than the above, to settlers, and the hills are destitute of approaches from the plains, with the exception of one not very easy ghaut from Pereacolum, the roads to which place are not in good order.

5. I do not consider that at present Government need go to any expense in demarcing or surveying waste, and I am unable from inexperience to suggest what the probable cost per acre for surveying jungle waste would be; the Board can probably ascertain sufficiently accurate data on which to form such an estimate from the Revenue Survey and Settlement Departments.

6. With reference to the standard area of allotments, I learn that the question has been disposed of in the Order of Government of the 6th December 1862, No. 2553.

From *J. Silver*, Esq., Collector of Tinnevely, to *W. Hudleston*, Esq., Secretary to the Board of Revenue; dated 11 November 1862 (No. 484).

Sir,

WITH reference to the Board's Miscellaneous Circulars, dated the 26th September and 17th October 1862, Nos. 6507 and 6940, calling for certain information connected with the proposal to sell all unassessed Government waste lands in the several districts in this Presidency, I have the honour to refer the Board to my letter of the 18th August last, No. 358, and to state that the extent of such lands in Tinnevely, exclusive of the hills forming a part of the western Ghauts, is small, and even these lands are not in continuous areas, but in small detached portions situated for the most part far from each other, and therefore it is not likely that applications will be received for the purchase of such lands.

From *J. Silver*, Esq., Collector of Tinnevely, to *W. Hudleston*, Esq., Secretary to the Board of Revenue ; dated 28 November 1862 (No. 508).

Sir,

IN continuation of my letter of the 11th instant, No. 484, I have the honour to state that I did not fix a minimum price for the sale of unassessed Government waste lands in this district, for reasons given in my letter above quoted.

From *J. Silver*, Esq., Collector of Tinnevely, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Fort Saint George ; dated Tinnevely, 27 December 1862 (No. 548).

Sir,

1. WITH reference to your telegram of the 19th instant, and the Board's Proceedings of the same date, requesting me to state the minimum price that should be fixed for hill lands, referred to in my letter of the 11th November last, I have the honour to state, for the information of the Board, that the clearing of forest lands on the hills has been permitted hitherto to a limited extent, principally near Courtallum, on the ground that extensive clearings would cause a diminution in the fall of rain, and tend to cause the springs and hill streams on which the irrigation of this district so much depends, to decrease.

2. The hill lands were taken up for cultivation by parties on progressive cowle, regulated according as the land had never been cultivated, or the number of years it had remained uncultivated, and paying an average assessment of 12 annas an acre, when the cowle comes to maturity. I would not advise the sale of lands generally, on the Courtallum Hills, where large grants have already been made, as reported in my letter to the Board of the 26th August 1856 ; but north and south of the Courtallum valley, such hill lands may be sold without objection, may be put up to auction at the minimum upset price of 12 rupees an acre.

1. ORDERED to be submitted to Government with the accompanying Abstract in continuation of the Board's letter, dated 22d December 1862, No. 8352.

2. The Collector of Tinnevely will of course exercise the discretion left to him by the rules in the matter of reserving all such forest as he considers necessary, whether with a view to the rain-fall or to the supply of timber and fuel to meet the requirements of the public.

(signed) *W. Hudleston*, Secretary.

ABSTRACT.

Districts.	Extent to which arrangements for the sale of Waste Lands have been made.	Proposed Minimum Price per Acre.	Average Rates of Assessment on Land in the Districts, as obtained from the Board's Records.
Madras -	No arrangements have been made.	For Punjab, 20 rupees - For Nunjah, 40 rupees -	Rs. a. p. Dry rates per acre - 1 6 8 Wet - ditto - 4 6 1
Madura -	- ditto -	For all waste in the plains, and up to the foot of the hills, 3½ rupees per acre, and for hill tracts four rates, according to locality, varying from 1 rupee to 10 rupees per acre.	Garden ditto - 4 2 7 Dry rates, per acre - 1 5 6 Wet - ditto - 4 6 1 Garden ditto - 3 2 8
Tinnevely -	- ditto -	For hill lands 12 rupees -	Not ascertainable in the Board's office.

(signed) *W. Hudleston*, Secretary.

(No. 238.)

ORDER thereon, 18 January 1863, No. 121.

The Board are requested to give their opinion on the Collectors' proposals.

(signed) *J. D. Sim,*
Secretary to Government.

— No. 28. —

Bombay Revenue Proceedings, April 1862.

No. 1627 of 1862.—Revenue Department.

From *J. B. Peile*, Esq., Acting Under Secretary to the Government of Bombay,
to *W. Grey*, Esq., Secretary to the Government of India.

Sir,

WITH reference to your communications, Nos. 2036 and 6,* dated respec-

* *Vide* India Cons. Sept. 1862, No. 5.Minute by his Excellency the Governor, dated
3 March 1862.Minute by the Honourable Mr. Reeves, dated
7 March 1862.Minute by the Honourable Mr. Frere, dated
31 March 1862.tively the 7th October and 2d January last, I am directed
to forward printed copies of the Minutes noted in the
margin, containing opinions of the members of this
Government respecting the redemption of land tax in this
Presidency.

I have, &c.

(signed) *J. B. Peile,*

Acting Under Secretary to Government.

Bombay Castle,
23 April 1862.

MINUTE by his Excellency the Governor, dated 3d March 1862.

It is a maxim of the Natives of this country, that the perfection of financial administration may be measured by the extent to which an equitable land tax is made to contribute to the support of the State, and that the excellency of a Government may be estimated by the absence of direct and indirect taxation.

2. I have never doubted the truth of this opinion, seeing that the Native feels that, in return for the payment which he makes to the State, he acquires the right to occupy or possess his land, and that in that right he receives an equivalent which, to his mind, deprives his payment of the essential characteristics of a tax.

3. This financial system is one of the most ancient institutions of this country, and is founded on the right of the State to a share in the produce of the land; a right which is proved not only by the universality of the practice, but by the fact that exemption from the obligation to pay is regarded as a much cherished privilege, which has either been forcibly acquired in olden times, or has been directly conferred by the State upon the possessor as a reward.

4. It is frequently the case that the title of the holders or occupants of the land to enjoy the usufruct of the soil has become more or less complete, and their rights of occupancy more or less permanent, according to usage and a variety of circumstances. But exemption from payment of a share of the produce is nowhere the rule, but the exception; and I consider it would be generally impolitic, by fixing permanently at their present money value the demands of the State on the land, to transgress a principle of finance so sound and correct as the one I have adverted to, because it is the tendency of prices and wages to increase, consequently the expenses of administration must increase. If, therefore, the income of Government from the land be stationary, or nearly so, which by fixing the assessment permanently must be the case, recourse must be had to increased taxation, both direct and indirect.

5. It

5. It will be perceived that in these observations I advert only to the fixity of the settlement in respect to the money demand, and I desire it to be understood that I do not advocate any variation in the just and moderate proportion of the gross produce on which the present assessments are based. But, as the prices of produce are yearly increasing, I see no infringement of the original conditions of the settlement, nor will it be so felt by the ryot, if, on the termination of this experimental settlement, the Government land tax should be re-adjusted according to those increased prices, and to other circumstances, provided that no revision is made within such long period of time, or otherwise than on considerations of the most sound character, and upon well established facts.

6. This a 30 years' settlement, such as has been introduced into a considerable portion of this Presidency, and is in progress throughout the rest of it, fulfils. The moderation with which the assessment has been fixed has given the right of occupancy a high marketable value, and under the settlement in some districts the prosperity of the people has increased in a marked degree. But I do not concur with the late Colonel Baird Smith, that to intensify these results, which are similar to those described by him as having taken place under the settlement of the North West Provinces, we should here have recourse to a permanent settlement of the land tax; and it appears to me that more is due to those other elements of our settlements which he enumerates, viz., "security of titles, moderation of assessment," and, above all, "the recognition and careful record of rights," than to the mere "protracted fixity of the public demand."

7. For in this Presidency it had long been sought to perfect a Ryotwarree system by acknowledging no others than the Government and the poor peasant, and imposing on the latter all the burdens that he could stagger under in support of the former. That system naturally proved detrimental to the lands and all their inhabitants, excepting here and there the usurer. The result was that which must infallibly ensue under any Government which itself lives from hand to mouth, keeps no surplus money for advances, and maintains no stores for use, when in hard times seed corn is needed. Constant remissions, and still further decline of villages, became the ordinary characteristics of provinces which had already undergone the harassing and depopulating effects of more than two centuries of wars and plunder. The authorities at length resolved on retrieving a position for agriculture. It would have been better, in my opinion, to have recognised some dormant tenures, and to have resuscitated others. But habit and the example set by predecessors, whose wars, recklessness, and oppression, had, generally speaking, exterminated the more respectable classes of landholders, served to keep out of view this best element of the success which depends on the possession of capital or of good credit. So they did the next best thing with a people who are not generally Mahomedan spendthrifts, but industrious Hindoos. After a survey, they imposed a very moderate assessment. This is now in operation, and is to endure for a period of 30 years. It is obvious that this being the first attempt on this side of India, within the limits of British dominions, to apply to cultivation a method of extending and improving it, and to population an encouragement to immigrate and increase, it would be an utter disregard of the rights of the Government in land tax if the present settlement were to be viewed as the limit of our demand. All that is here wanted, short of the reconstruction of such classes as zumeendars and meerasdars, with their worth and influence, is to allow such a duration of settlement (and 30 years is not amiss for the purpose) as will combine the objects of increasing at future periods the moderate and just demands of the Government, while reconciling the ryot, for his own sake, to devote his industry and the utmost of his small means to the improvement of his long holding.

8. It is, in my opinion, another good reason for not settling our land tax permanently, that there can be no doubt in any unprejudiced mind that the lands are not yet held, generally speaking, as they might without difficulty be declared to be held, on a title still more highly esteemed and cherished. However well satisfied the ryot may be with the security of his right of his occupancy under the Revenue Survey Settlement, the term "meeras" conveys to his mind a sense of ownership which no assurance that, so long as he pays the Government revenue, he will not be disturbed in the possession of his fields, can

give him. This was recently illustrated to me in a forcible manner by an intelligent patell, who, in answer to a question put to him, with the view of eliciting the estimation in which he relatively held his "meeras" and "ghatkoolee" land, replied, "The meeras is mine; the ghatkoolee is yours." And again, as was emphatically said in my hearing, on another occasion, by a Native District Deputy Collector, and at the same time by an experienced mamlutdar, "They hold affectionately to 'meeras.'" ("Meeras ko bohot dil lugta.")

9. With reference also to the possibility of having hereafter permanently to impose new taxes, I object to the proposal for abandoning the right of Government to the improved value which increased prices should give to the right of the State to a share of the produce of the fertile soil worked at small cost in money and labour—a right which has been reserved to it from ancient times, and which has, until recently, enabled it practically to exempt the people of this country from the burdens of taxation which press so heavily on the communities of Europe.

10. I shall lament to see a departure from this wise system; nor do I see the necessity of the proposed measure, for the agricultural classes are, on all hands, admitted to be improving, and to be becoming gradually possessed of some capital; and those works of irrigation which must mainly be the mainstay to protect them in seasons of drought can only be undertaken on an organised system, which no present permanent settlement would ensure being ever executed, but which it is the duty of the Government to undertake whenever it has available resources.

11. No legislative enactments have been found necessary in this Presidency to give effect to the 30 years' settlements now in operation, and none appears to be necessary.

(signed) *George Clerk.*

MINUTE by the Honourable Mr. *Reeves*, dated 7 March 1862.

I CONCUR in opinion with his Excellency the President, that Colonel Baird Smith's proposal for a permanent settlement would, in the present state of this Presidency, be a glaring financial error.

2. There has always been a tendency to conclude that any measure considered good and applicable in Bengal and the North West Provinces must be the same in Bombay. But here our rates have been pitched at the minimum for a period of 30 years, with the expressed intention of a revision, after consideration of prices, at the end of that term, when we are sure of a permanent increased revenue equal, or nearly equal, to what it was at first supposed the income and license taxes combined would yield in this Presidency. To sacrifice this, particularly when it is considered that we have no scheme of taxation to replace it, and that we do not even yet know how to tax the mercantile and other non-agricultural classes equally and effectually,—when we are anxiously looking about for money for roads and public works, is not to be thought of.

3. Without committing myself to the opinion that a permanent settlement will never be appropriate, I am perfectly satisfied that the time for such a settlement in this Presidency is so remote, that it is a mere waste of time to consider of it. We are emerging steadily and most satisfactorily from the evil effects of wars, famines, oppressive assessment, and corrupt management, which were everywhere manifest when we took possession of the country. In Guzerat, it is true, a revenue survey was not set on foot until the lapse of a considerable period. Captain Cruikshank and Captain Keys, however, were conducting it, to my personal knowledge, as early as 1826. In the Deccan no time was lost in attempting the work of improvement, and Mr. Pringle commenced a revenue survey under Mr. Elphinstone's own directions, but, after much money had been expended, it was found that operations in the Deccan had been left too much to native execution, and that the work of assessment (the measurements

ments were generally good) was founded on the grossest bribery and corruption; a stop was therefore put to this survey, and the Guzerat proceedings ceased much about the same time. The present scheme of survey and assessment was matured by officers thoroughly acquainted with all former errors and mismanagement, and has been entirely successful in the imposition of an assessment extremely moderate and equal, and in giving to occupants a tenure as secure as they possibly can have. Government has declared that they have no claim to the soil so long as the assessment is paid. But it appears that one or two Collectors in the Deccan have lost sight of this provision, and failed to impress it on the minds of occupants. The meerasdar, equally with the ordinary occupant, is bound to pay the assessment, and his land is responsible in default equally with that of the ordinary occupants. The only difference between the two is, that the meerasdar has hitherto had the privilege of re-entry on land deserted by him for a period of 30 years, and even longer, a privilege generally and properly condemned as opposed to reason, and productive of the grossest injustice and oppression.

4. The Honourable Court of Directors combined with the Government of India and successive Governments of this Presidency in considering that this privilege was entirely wrong, and ought to be put an end to by legislation; but Lord Elphinstone's Government, after very anxious and careful consideration, came to the conclusion, that although the Civil Courts occasionally reinstated a meerasdar, the measures which had been adopted in connexion with the revenue survey, would gradually neutralise the injurious effects of the re-entry privilege, which would die out without any violent interference; and it was therefore decided, that legislation was unnecessary.

See Mr. Secretary Ellis' letter, No. 4420, dated 5 November 1859, to the Legislative Councillor of the Council of India for Bombay.

5. Act XIV. of 1859, which limits all claims to 12 years, has most probably laid a salutary restriction on the claims of a meerasdar, and thus effected a most thorough coincidence between the tenures of meerasdar and ordinary occupant.

6. The solitary remnant left to the holder of meeras will be the name, but it ought to excite no surprise that in the two Collectorates of Poona and Ahmednuggur, meerasdars try to cry up and enhance the value of their own lands by crying down the lands of others held on exactly the same tenure. I am perfectly willing, however, to give ordinary occupants in the Deccan, Sattara, and part of Sholapoor, the only localities where meeras exists, the name or title, if it can be shown satisfactorily, after full application to them of the rights they now enjoy, that they really desire it. Collectors and their assistants should be directed to set forth to the occupants that the only distinction remaining is the name; and if they then require the name, it should be given them "gratis." In the Southern Maratha country the cultivators are none of them meerasdars, though they are possessors as ancient as any holder of that denomination, and are in very much better circumstances.

7. I beg to refer to the three Minutes I have written on the subject of meeras, and the effects of the revenue survey, for a more detailed explanation of my views.

8. My opinion then is, that the occupants under survey rules have a tenure in no degree wanting in fixity and security; its sole liability is that of paying a moderate assessment, and it differs in no respect from that of a holder of an extensive leasehold property in England, or, in fact, from that of any person of any rank paying taxes in the United Kingdom.

9. The permanent settlement cannot possibly add anything to this security; and legislation, by meddling with what has hitherto been considered as a matter of course, would do harm. No one doubts that when Government gives a lease (not of land, but of rates) for 30 years, or 50 years, the rates will not be changed. Occupants sell and mortgage their lands; they would not do this if they doubted the word of Government, or the fixity of their tenure; and an officious interference with well-understood customs and maxims, entirely uncalled for, would excite the wonderment of the people, and perhaps their distrust, but it would certainly not tend to raise their opinion of the wisdom of the legislature.

(signed) *H. W. Reeves.*

MINUTE by the Honourable Mr. *Frere*, dated 31 March 1862.

AFTER carefully considering Colonel Baird Smith's Report and these Minutes, I have nothing to add but my general concurrence with his Excellency the President, and my honourable colleague, Mr. Reeves.

2. I have already given my opinion upon the meerassée tenure, so need not reiterate my objections to its revival, except with the modifications proposed by Mr. Reeves; my firm belief being, that the ryots already possess all that is wholesome of the meerassée right, if the Collectors, and other revenue officers, only took the trouble to show it to them.

3. I annex translation of a memorandum by Ram Rao Bheemajee, Dessaee of Dharwar, which the Honourable Mr. Reeves left with me to record on this subject, the papers having passed him when he received the memorandum; and I would point to the public works undertaken by the villagers in Dharwar (of which the Secretary will be good enough to annex a list) as showing that, with the 30 years' guarantee of the revenue survey and the present low rates, the ryots have means of their own to lay out on improvement, and feel that they have sufficient hold of the land to lead them to embark in those improvements for the general good; and as it is well known, even to the ryots themselves, that the lands which have been already surveyed will, on the expiration of the 30 years, bear an increased assessment of from 25 to 50 per cent., I am satisfied that a more permanent settlement than we now have is not required by the ryots, and would be a serious sacrifice by Government, even if it were introduced into those villages alone where the whole land had been taken up, and consequently where the profit or loss which would be sustained might be apparent, but even then we must recollect that the bargain is all on one side, for if by any accident it should happen that prices were to fall, and the assessment was found to be too high, Government would be obliged to reduce the rates, while, on the other hand, the ryot would reap the benefit of all unforeseen advantages.

(signed) *W. E. Frère.*

— No. 29. —

Bombay Revenue Proceedings, November 1862.

No. 4187 of 1862.—Revenue Department.

From *A. D. Robertson*, Esq., Acting Chief Secretary to Government of Bombay,
to *E. C. Bayley*, Esq., Secretary to the Government of India.

Sir,

IN continuation of my letter, No. 3966, dated the 31st ultimo, I am directed to forward, for submission to the Governor General in Council, copy of a communication from the Commissioner in Sind, No. 224, dated 18th idem, relative to the Bill "to provide for the Adjudication of Claims to Waste Lands, and for the Investment of the Proceeds arising from the Sale of such Lands and of other Government Lands, and from the Redemption of Land Revenue."

I have, &c.

Bombay Castle,
17 November 1862.

(signed) *A. D. Robertson*,
Acting Chief Secretary to Government.

No. 224 of 1862.—Revenue Department.

From *S. Mansfield*, Esq., Commissioner in Sind, to his Excellency the Honourable
Sir *H. B. E. Frere*, K. C. B., Governor and President in Council.

Honourable Sir,

I HAVE the honour to acknowledge the receipt of Government Resolution, No. 3571, dated 25th ultimo, forwarding a copy of letter, No. 4882, from the Secretary to the Government of India, and a Draft Bill to provide for adjudication of claims to waste land, and for the investment of the proceeds arising from the sale of such lands.

2. The

2. The Bill appears to me to be all that can be desired, and I am unable to suggest any improvements in its provisions.

3. The wording, however, of lines 13, 14, in Sec. IX., might be improved: the expression "if the claim of the claimant be dismissed," seems scarcely correct. The claimant, as he is here called, is the defendant, the suit being brought by Government. A better wording appears to me, "if judgment be given in favour of Government."

Commissioner's Office, Kurrachee,
18 October 1862.

I have, &c.
(signed) *S. Mansfield*,
Commissioner in Sind.

